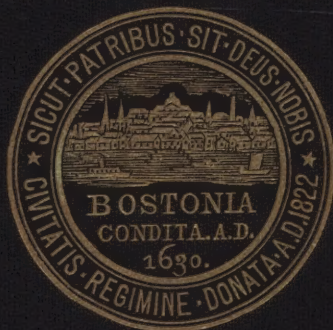


DIGEST OF THE STATUTES  
RELATING TO THE  
INSPECTION AND CONSTRUCTION  
OF BUILDINGS  
IN THE  
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Clerk of Department.

CHARLES S. DAMRELL . . . . . 47 Hancock Street.

Assistant-Inspectors.

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# STATUTES

RELATING TO THE

## INSPECTION AND CONSTRUCTION OF BUILDINGS IN THE CITY OF BOSTON.

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### CHAPTER 374, ACTS OF 1885.

SECTION 1. There shall be in the city of Boston a department, to be called the Department for the Inspection of Buildings, which shall be furnished, at the expense of the city, with office room and such supplies for the transaction of its business as the city council may provide. The compensation of its officers shall be provided for by said city by ordinance.

SECT. 2. The chief officer of said department shall be called the inspector of buildings, and shall be appointed by the mayor and confirmed by the board of aldermen. He shall hold office for the term of three years, or until his successor shall be appointed and confirmed; but may be removed by the mayor for malfeasance, incapacity or neglect of duty.

Title of chief  
officer and his  
term of office.

SECT. 3. The other officers of said department shall consist of a clerk, and such number of assistant inspectors as the city council may, from time to time, by ordinance determine; all of whom shall be appointed by the inspector, with the approval of the mayor, and shall hold office during good behavior; but may be removed by the inspector, with the approval of the mayor, for malfeasance, incapacity or neglect of duty.

Other officers.

SECT. 4. The inspector and assistant inspectors of the department shall be able and experienced architects, builders or mechanics, and shall not be employed or engaged in any

Qualifications.

other business, or be interested in any contract for building or for furnishing materials.

May enter any building.

SECT. 5. All said officers may, as far as necessary for the performance of their duties, enter any building or premises in the city of Boston.

Duties of the inspector.

SECT. 6. The inspector shall keep a record of the business of said department ; submit to the city council a yearly report of such business ; ascertain all facts and make all returns which shall be required by law relative to steam-boilers ; and enter upon the premises wherein any fire has occurred, if necessary, in order to investigate the origin of the fire ; may require plans and specifications of any proposed erection or alteration of any buildings ; and shall grant permits for such erection or alteration, when in conformity with the requirements of this act.

Appeals and when and how referees may be appointed.

SECT. 7. Should the owner of any building object to any order or decision of said inspector, on a matter left by this act to his approval or control, and choose a referee to serve as hereinafter provided, within three days after being notified of such order or decision, the matter shall be referred to three referees, who shall be either architects or master-builders, one chosen by the inspector, one by the owner, and a third by these two ; and the decision thereon in writing of these referees, or a majority of them, shall be final and conclusive.

Duties of clerk. To have supervision of department and direction of officers and employees.

SECT. 8. The clerk shall, under the direction of the inspector, have supervision and direction of the other officers and employees of the department.

Duties of assistant inspectors.

SECT. 9. The assistant inspectors of buildings shall attend all fires occurring in the districts to which they are respectively assigned, and report to the chief or assistant engineer of the fire department, present, all information they may have relative to the construction and condition of the premises on fire, and also any such information relating to the adjoining buildings.

SECT. 10. The inspector, or his assistants, shall examine all buildings in the course of erection or alteration, as often as practicable, and make a record of all violations of this act, with the street and number where such violations are found,



the names of the owner, architect and master-mechanics, and all other matters relative thereto.

SECT. 11. The inspector, or his assistants, shall examine all buildings reported dangerous, or damaged by fire or accident, and make a record of such examinations, including the nature and amount of such damage, with the name of the street and number of the building, the names of owner and occupant and for what purpose occupied, and, in case of fire, the probable origin thereof; examine all buildings for which applications have been made to raise, enlarge, alter or build upon, and make a record of the same. Said records shall always be open to the inspection of the engineers of the fire department or any officer of the city.

SECT. 12. In the absence of the inspector, one of the assistant inspectors may be appointed by him to act as his deputy, who shall exercise all the powers of the inspector. When deputy may be appointed.

SECT. 13. No work except necessary repairs shall be done upon any wall, structure or building in said Boston without a permit from said inspector of buildings, nor except in conformity with the provisions of this act. Permits, when required.

SECT. 14. The inspector of buildings shall designate, in every permit for the erection of a new building, the lowest grade at which the floor of the basement story of said building shall be laid. Grade of basement floor.

SECT. 15. The said inspector shall not give a permit for the erection of any building until he has carefully inspected the plans and specifications thereof, ascertained that the building has sufficient strength, and that the means of ingress and egress are sufficient. A copy of plans and specifications of every public building shall be deposited in the office of the inspector. Plans and specifications to be approved.

SECT. 16. Every wall, structure and building hereafter built or altered in said city shall conform to the provisions of this act, so far as they are applicable, except bridges, quays, wharves and buildings belonging to the government of the United States or the Commonwealth of Massachusetts. Exemptions.

SECT. 17. In this act the following terms shall have the meanings respectively assigned to them : — Definitions.

"Alteration" means any change or addition except necessary repairs in, to or upon any building, affecting an external, party or partition wall, chimney, floor or stairway, and "to alter" means to make such change or addition.

"Brick building" means a building the walls of which are built of brick, stone, iron or other substantial and incombustible materials.

"Cellar" means a basement or lower story of any building of which one-half or more of the height from the floor to the ceiling is below the level of the street adjoining.

"External wall" means every outer wall or vertical enclosure of a building other than a party wall.

"Foundation" means that portion of a wall below the level of the street curb, and where the wall is not on a street, that portion of the wall below the level of the highest ground next to the wall.

"Inspector" means the inspector of buildings of the city of Boston.

"Lodging house" means a building in which persons are temporarily accommodated with sleeping apartments, and includes hotels.

"Partition wall" means any interior wall of masonry in a building.

"Party wall" means every wall used, or built in order to be used, as a separation of two or more buildings.

"Public building" means every building used as a church, chapel or other place of public worship; also every building used as a college, school, public hall, hospital, theatre, public concert-room, public ball-room, public lecture-room or for any public assemblage.

"Tenement house" means a building which, or any portion of which, is to be occupied, or is occupied, as a dwelling by more than three families living independently of one another, and doing their cooking upon the premises; or by more than two families above the second floor, so living and cooking.

"Wooden building" means a wooden or frame building.

SECT. 18. The height of a wall means the height from

the mean grade of the sidewalk or adjoining ground to the highest point of the wall.

SECT. 19. The thickness of a wall means the minimum thickness of such wall.

SECT. 20. The city council of said city may by ordinance make such requirements, in addition to those contained in this act, as they may deem expedient in relation to the erection and alteration of wooden buildings outside the building limits.

City council may make regulations for wooden buildings outside limits.

SECT. 21. The city may from time to time, by ordinance, extend and establish building limits in said city, and within those limits every building built after such establishment shall be of brick, stone, iron or other substantial and incombustible material, and only the following wooden buildings shall be allowed, viz.: Sheds not exceeding twenty-seven feet in height, or wharves, to be used for any lawful purpose; sheds of same height, in all parts of said limits, to be used for market purposes or to facilitate the building of authorized buildings; and elevators of any height for the storage of coal and grain; all external parts of which sheds and elevators shall be covered with incombustible material, and the materials used, the mode of construction and the location shall be approved by the inspector.

Wooden buildings allowed in building limits.

SECT. 22. Any wooden building within said limits may be altered or repaired in any manner approved by the inspector, provided neither its area nor height is increased.

Wooden buildings may be repaired, etc.

SECT. 23. No wooden building within or without the building limits shall be moved to any lot within said limits where it would be in violation of law to build such wooden building.

Moving of wooden buildings.

SECT. 24. In all calculations for the strength of materials to be used in any building, the proportion between the safe weight and the breaking weight shall be as one to three, for all beams, girders and other pieces subjected to a cross strain; and as one to six for all posts, columns and other vertical support, and for all tie-rods, tie-beams and other pieces subjected to a tensile strain; and the requisite dimensions of each piece of material are to be ascertained by com-

Calculation for strength of materials.



putation by the rules given by the best authorities, using for constants in the rules only such numbers as have been deduced from experiments on materials of like kind with that proposed to be used. All mortar and cement shall be of the best quality for the purposes for which they are applied, and shall be properly mixed.

Buildings to be inspected before alteration.

SECT. 25. No building now or hereafter built shall be altered until it has been examined and approved by the inspector as being in a good and safe condition to be altered as proposed, and the alteration so made shall conform to the provisions of this act.

Permits required.

SECT. 26. No wall of any building now erected, or hereafter to be built or erected, shall be cut off or altered, without a permit so to do having been first obtained from the inspector. Every temporary support placed under any structure, wall, girder, beam or column during the erection, finishing, altering or repairing of any building, or part thereof, shall be equal in strength to the permanent support required for such construction. And the walls and roof of every building shall be strongly braced from the beams of each story until all the bearing parts of the construction are completed, unless omitted by consent of inspector.

Bay-windows, etc.

SECT. 27. No bay-window or other structure shall be placed upon any building so as to project over any public way or square, without the permission of the board of aldermen given after due notice and hearing, and then only in such manner as shall be approved by the inspector.

Thickness of walls when of iron, etc.

SECT. 28. In the erection or alteration of any building the material of which, in whole or in part, is other than brick, stone or wood, the thickness of the walls, of such material and the method of construction shall be such as the inspector shall approve.

External and party walls of tenement and lodging houses to be of brick, etc.

SECT. 29. All buildings in said city, to be used for tenement-houses or lodging-houses, and all buildings for any purpose within the building limits, except as provided in sections twenty and twenty-one, shall have external and party walls of brick, stone, iron or other substantial and incombustible material, and shall be subject to all the require-

ments for a "brick building," except as otherwise expressly stated.

SECT. 30. Every brick building hereafter built in said city shall be built upon a foundation resting not less than four feet below the surface exposed to frost, upon the solid ground, or levelled surface of solid rock, or upon piles, concrete or other solid substructure.

Foundations  
to be laid  
below frost.

SECT. 31. Whenever any excavation, in the city of Boston, is to be carried to the depth of more than ten feet below the grade of street, and there shall be any wall or structure wholly or partly on adjoining land, or near the intended excavation, the party causing such excavation to be made, if afforded the necessary permission to enter on such adjoining land, shall at all times, from the commencement until the completion of such excavation, at his own expense, preserve such wall or structure from injury, and so support the same by proper foundations that it shall remain as stable as before the excavation was commenced. Should the person making such excavation fail to protect said wall or structure from injury for twenty-four hours after being notified by the inspector of buildings so to do, the inspector may enter upon said premises and employ such labor and furnish such materials and take such steps as in his judgment may be necessary to make said wall or structure safe and secure; and any person or persons doing said work, or any part thereof, by the order and direction of the inspector, may bring and maintain an action against the party causing such excavation to be made for the value of such work. The party causing such excavation to be made may recover compensation from the adjoining owner, in case such adjoining owner should at any time thereafter make any use of said foundations below said ten feet below grade.

Excavations.  
Protection of  
adjoining  
structures.

SECT. 32. Piles driven for a wall to rest upon shall be not less than five inches in diameter at the smallest end, and shall be spaced not more than three feet on centres, in the direction of the length of the wall, and nearer if required by the inspector; they shall be driven to a solid bearing, to be ascertained by boring, at the expense of the owner, when

Piling. See  
Plate A 1.

required by the inspector. The inspector shall determine the grade at which piles shall be cut off.

Piling.

SECT. 33. Walls not exceeding twenty feet in height, where piling is necessary, may rest on a single row of piles, if deemed advisable by the inspector; walls exceeding twenty feet in height shall rest on not less than two rows of piles. Extra piles shall be driven where required by the inspector.

See Plate 1.

Foundations.

SECT. 34. For brick buildings exceeding thirty-five feet in height, there shall be under all foundation walls, piers, columns, posts and pillars resting on the earth, a footing or base course of stone or concrete, which, if under a foundation wall, shall be not less than twelve inches wider than the bottom width of said wall, and not less than twelve inches thick; and if under piers, columns, posts and pillars, shall be of stone, and not less than twelve inches wider on all sides than the bottom area of said piers, columns, posts and pillars, and shall be not less than two feet by three feet in area by twelve inches in thickness, and when laid, to be thoroughly bedded in cement. If the walls rest on isolated piers, then there must be under such piers, footings, at least sixteen inches thick, thoroughly bedded in cement. All piles shall be capped with block-granite levellers, each stone to have a firm bearing on at least one pile in each row.

See Plate 2.

See Plate

Foundations,  
dwelling,  
tenement and  
lodging houses.

See Plate 4.

SECT. 35. Foundation walls of brick buildings, other than dwelling, tenement or lodging houses, shall be constructed of block stone, laid in horizontal courses, with good bed and build surfaces, wedged with slate stone and laid in cement mortar, and eight inches thicker than the external or party wall immediately above and over the same; if said foundation is to be set to a depth of more than fifteen feet below the grade of the street, for each and every five feet additional depth greater than fifteen feet below the grade of street it shall be increased four inches in thickness. Foundations of such buildings not more than forty feet in height may be built of rubble-work laid in cement and sand mortar, if the thickness of the foundation walls is one-fourth greater than given for block stone, and laid as specified in section thirty-six. In case of severe thrust or pressure on said



walls, from any cause, there shall be such extra strengthening of said walls by thickening or by buttresses, or both, as the inspector may approve.

SECT. 36. Foundation walls of brick buildings to be used See Plate 5.  
as dwelling, tenement or lodging houses, not exceeding thirty-five feet in height, if laid with block stone in horizontal courses, shall be not less than eighteen inches thick, or, if in brick laid in cement, shall be not less than sixteen inches thick; exceeding thirty-five and not exceeding sixty feet in height, the foundations shall be not less than twenty-four Foundations, other than dwelling, tenement and lodging houses. inches thick, if laid in block stone in horizontal courses; if in brick laid in cement not less than twenty inches thick; for every fifteen feet additional height the thickness of foundations shall be increased four inches; if the walls do not exceed seventy-five feet in height the foundation walls may be built of uncoursed rubble-work laid in cement mortar; but See Plate 6. in all cases the thickness shall be one-fourth greater than that given for block stone, and the work shall be thoroughly bonded, and, at least, two-thirds of the bulk of the wall shall be through stones, and no round or boulder stones shall be used; *provided*, that when such walls are laid on piles the lower course shall be block stone, not less than sixteen inches in height.

SECT. 37. All brick walls and buttresses shall be of merchantable, well shaped bricks, well laid and bedded, with well filled joints, in lime or cement mortar, and well flushed up at every course with mortar; and all brick used during the warm months shall be well wet at the time they are laid, and shall be dry at the time they are laid during the cold months. Walls and buttresses.

SECT. 38. All walls of brick, stone or other similar material shall be thoroughly and practically bonded and tied, and solidly put together; shall be built to a line, plumb and straight, and laid with mortar or cement, and all supports of the same shall be of iron, brick or stone, and of sufficient size and strength to safely support the superstructure. Walls, how built.

SECT. 39. Vaulted walls of the same thickness, independent of withes, may be used instead of solid walls, and the Vaulted walls.

walls on either side of air space shall be not less than eight inches thick, and tied together perpendicularly with continuous withes of hard burned brick, of good quality, or other approved material, which shall be not more than three feet apart, and the air space shall be smoothly plastered.

Stone cornice.

SECT. 40. Where a wall is finished with a stone cornice, the greatest weight of material of such cornice shall be on the inside of the face of the wall, so that the cornice shall firmly balance upon the wall.

Heading or  
bonding  
courses.

SECT. 41. Every ninth course at least of a brick wall shall be a heading or bonding course, except where walls are faced with face brick, in which every ninth course shall be bonded with Flemish headers or by cutting the course of the face brick and putting in diagonal headers behind the same.

Party walls  
above roof.

SECT. 42. Every party wall shall be built through, and at least twelve inches above or distant from the roof boarding, at every part of the roof; shall be entirely covered with metal securely fastened, and corbelled to the outer edge of all projections; or a gutter stone of suitable dimensions and properly balanced may be inserted in place of the corbelling. But where the walls extend thirty-six inches above the adjoining building, parapet walls may be omitted.

See Plate 7.

Roof and floor  
timbers.

SECT. 43. All roof or floor timbers entering the same party wall from opposite sides shall have at least four inches solid brick work between the ends of said timbers.

See Plate 8.

See Plate 9.

External and  
party walls,  
dwelling, tene-  
ment and  
lodging houses.

SECT. 44. External walls of brick buildings to be used as dwelling, tenement and lodging houses, not more than twenty feet in width, and thirty feet in height, and not exceeding forty feet in depth, may have eight inch walls; not exceeding sixty feet, shall be not less than twelve inches thick the entire height; exceeding sixty feet, and not exceeding seventy feet in height, shall be sixteen inches thick to a height of twenty feet, or the top of the second floor, and twelve inches the remaining height; exceeding seventy feet, and not exceeding eighty feet in height, shall be twenty inches thick to the top of second floor, and sixteen inches thick to the top of the upper floor, and twelve inches the remaining height, if the upper story is not more than ten

See Plate 10.

See Plate 11.

feet in height; exceeding eighty feet, and not exceeding one hundred feet in height, shall be twenty-four inches to the second floor, and sixteen inches thick the remaining height; exceeding one hundred feet in height, the additional thickness shall be determined by the inspector. See Plate 12.

SECT. 45. Brick buildings to be used as other than dwelling, tenement or lodging houses, shall have external walls not exceeding forty feet in height, not less than sixteen inches thick to the top of the second floor, and not less than twelve inches thick the remaining height; exceeding forty feet, and not exceeding sixty feet in height, twenty inches thick to the top of the second floor, and sixteen inches thick to the top of the upper floor, and twelve inches thick the remaining height; exceeding sixty feet, and not exceeding eighty feet, twenty inches thick to the top of the third floor, and sixteen inches thick to the top of the upper floor, and twelve inches thick the remaining height; exceeding eighty feet, and not exceeding one hundred feet in height, twenty-four inches to the top of the first floor, twenty inches to the top of the third floor, and sixteen inches thick the remaining height; exceeding one hundred feet in height, shall be of such additional thickness as shall be determined by the inspector. See Plate 13.

External walls, other than dwelling, tenement and lodging houses.

SECT. 46. The external walls of brick buildings not exceeding thirty-five feet in height and not exceeding two thousand superficial feet, to be used for stables or light mechanical purposes, may be twelve inches thick. See Plate 14.

External walls for stables, etc.

SECT. 47. Recesses and openings may be made in external walls provided that the backs of such recesses are not less than twelve inches in thickness, and that the areas of such recesses and openings do not, taken together, exceed one-half of the whole area of the wall in which they are made. This restriction shall not apply to street fronts properly constructed of iron or iron and masonry. Recesses and openings in external walls.

SECT. 48. If the owner shall elect, the amount of material herein specified for external walls in sections forty-four and forty-five may be used either in piers or buttresses, provided the external walls between said piers and buttresses Piers and buttresses.



shall not be less than twelve inches thick in buildings less than fifty feet in height; if in excess of fifty feet, and not over one hundred feet in height, the external walls between said piers and buttresses shall be not less than sixteen inches thick. No external wall between the window caps and tops of floors at each story shall be of less thickness than that prescribed for external walls in sections forty-four and forty-five.

When party and external walls are to be increased in thickness.

SECT. 49. In all brick buildings over twenty-five feet in width, not having either brick partition walls, or girders supported by columns running from front to rear, and the entire height of the building, the external and party walls shall be increased four inches in thickness for every additional twenty-five feet in the width of said building.

Not to exceed 80 ft. in height, unless constructed throughout of incombustible materials.

SECT. 50. No building hereafter erected, except churches and grain elevators, shall exceed a height greater than eighty feet to the highest point from the level of the sidewalk, exclusive of chimneys and party walls above the roof, unless constructed throughout of incombustible material, excepting interior finish.

Party walls of dwelling, tenement and lodging houses.

SECT. 51. Party walls of brick buildings to be used for dwelling, tenement or lodging houses, shall be of the same thickness for different heights as external walls of such buildings, but in no case less than twelve inches thick, except as provided in section forty-four.

See Plate 15.

SECT. 52. Party walls of brick buildings to be used for other purposes than dwelling, tenement or lodging houses, shall, when not exceeding forty feet in height, be sixteen inches thick to top of second floor, and twelve inches above; exceeding forty feet, and not exceeding sixty-five feet in height, twenty inches to the top of the second floor, and sixteen inches above; exceeding sixty-five feet, and not exceeding eighty feet in height, twenty-four inches to the top of the first floor, twenty inches to the top of the third floor, and sixteen inches above; exceeding eighty, and not exceeding one hundred feet in height, twenty-four inches to the top of the third floor, twenty inches to the top of fifth floor, and sixteen inches above.

Party walls other than dwelling, tenement and lodging houses.

See Plate 16.

SECT. 53. No continuous vertical recess, chase or flue shall be made in any party wall so deep that it will leave the thickness at the back less than eight inches at any point, and no recess of any kind shall be made in any eight-inch wall, no horizontal recess shall be made in any wall, except by a special permit from the inspector. No continuous vertical recess, other than flues, in stacks, shall be nearer than seven feet to any other recess.

Recess, chase or flue.

SECT. 54. All brick buildings to be used as dwelling, tenement or lodging houses, in excess of thirty feet in width, shall have brick partition walls, not less than twelve inches thick, on which the floor beams shall rest, and said walls shall not be more than twenty-five feet apart.

Partition walls in dwellings, etc.

SECT. 55. Every brick building hereafter erected, more than thirty feet in width, except dwelling, tenement or lodging houses, public buildings, railroad stations and stables, shall have one or more brick or stone partition walls running from front to rear, and carried up to the full height of the building; said wall or walls may be four inches less in thickness than is called for by the provisions relating to the thickness of external walls for a brick building, to be used for the same purpose, unless the wall is used for a floor bearing wall, which shall in no case be less than twelve inches; these walls shall be so located that the space between any two of the floor bearing walls of the building shall not be over twenty-five feet.

Partition walls in other than dwellings, etc.

SECT. 56. Girders or iron beams and columns may be substituted for partition walls in buildings not more than one hundred feet in width, and shall be made of sufficient strength to bear safely the weight which they are intended to support in addition to the weight of material employed in their construction; but where wooden columns or wooden girders are used the columns shall not be further apart than twelve feet.

Girders or beams and columns, when substituted for partition walls.

SECT. 57. Walls may be made with a facing of stone or other approved material securely tied to a backing of not less than eight inches of hard brick work laid in mortar, by means of metal clamps; but the thickness of facing and backing, taken together, shall not be less than the thickness required for a brick wall of the same height.

Walls when faced with stone.

No timber  
in walls.

SECT. 58. No timber shall be used in any wall of any brick buildings except arch forms for interior arched openings.

Lintels and  
arches.

SECT. 59. All lintels used to support walls or other weights over openings, shall be of sufficient strength and bearing to carry the superimposed weights, and iron beams or lintels shall, when supported at the end by brick walls or brick piers, rest upon an iron plate at least two inches thick, the full size of the bearing, and where beams are not over six feet in length the plates may be omitted. All arches not having sufficient piers or abutments to resist the thrust of the superimposed loads shall have proper and sufficient iron ties.

Side wall not  
to be in advance  
of rear wall.

SECT. 60. No side wall of a brick building shall be carried up in advance of the rear wall.

Walls to be  
anchored to  
each other.

SECT. 61. All walls of a brick building meeting at an angle shall be anchored to each other, every ten feet in their height, by tie anchors, made of at least one and a quarter inch by three-eighths of an inch wrought iron, which shall be securely built into the side or partition walls not less than thirty-six inches; and into the front and rear walls at least one-half the thickness of the front and rear walls.

Walls to be  
anchored to  
beams, and  
girders to be  
strapped  
together.

SECT. 62. All walls of a brick building on which the ends of beams rest, shall be anchored at each tier of beams, at intervals of not more than ten feet apart, with good, strong wrought iron anchors at least one-half inch by one and one-half inch, well built into the walls and fastened at the top of the beams; and, where the beams are supported by girders, the end of the beams resting on the girders shall be butted together, end to end, and strapped by wrought iron straps or tie irons, at the same distances apart, and in the same beams as the wall anchors, and shall be well fastened.

Openings in  
party walls.

SECT. 63. No opening or doorway shall be cut through a party wall of a brick building without a permit from the inspector; and every such doorway shall have top, bottom and sides of stone, brick or iron; shall be closed by two sets of wrought iron or metal-covered doors (separated by thickness of the wall) hung to rabbeted iron frames, or to wooden frames entirely covered with metal, or to iron hinges in brick or stone rabbets; shall not exceed ten feet in height by eight



feet in width ; and any opening other than a doorway shall be protected in a manner satisfactory to the inspector.

SECT. 64. All cornices other than brick on brick buildings shall be secured to the walls with iron anchors, independent of any wood work ; the wall shall be carried up to the boarding of the roof, and where the cornice projects above the roof the wall shall be carried up to the top of the cornice and covered with metal, like parapet walls. All exterior cornices or gutters, more than forty-five feet above the level of the sidewalk, hereafter replaced, shall be constructed of or covered with some incombustible material.

Cornices and  
gutters.

SECT. 65. All piers shall be built of the best quality of good, well burnt hard brick, laid in cement and sand mortar, and well wet when laid in warm weather.

Piers, how laid.

SECT. 66. Brick piers under lintels, girders or columns of brick buildings shall have a cap iron at least two inches thick, the full size of the pier.

Piers under lin-  
tels, girders or  
columns.

SECT. 67. Brick piers and buttresses shall be bonded with through courses, levelled and bedded, each course, and where their foundations rest upon piles, a sufficient number shall be driven to insure a proper support.

Piers and but-  
tresses.

SECT. 68. Every metal column in a brick building shall rest on an iron plate of not less thickness than two inches. Wooden columns supporting girders and floors in such buildings shall set on inch and a half iron plates with sockets or counter sinkages.

Columns.

SECT. 69. Metal columns placed one on top of the other shall have a plate at the top of each column, with projections on both sides to fit into cap and base of columns, to prevent slipping, and all columns shall have holes bored, where directed by the inspector, into and through the shell at right angles to the shaft, so as to show the thickness of shell. All bearing parts of columns and plates shall be turned or planed to true surfaces.

Columns.

SECT. 70. All chimneys shall hereafter be built of brick, stone or other incombustible material ; shall be plastered on the outside below the roof after having been inspected, and shall have a footing of masonry, or iron supported by iron,

Chimneys.

or corbels of brick or stone. No chimney shall be hung to an eight inch wall, or bear or rest upon wood. No chimney corbelled from a wall shall project more than the thickness of the wall.

Brick flues.

SECT. 71. All brick flues shall hereafter be built of merchantable brick, thoroughly slushed and flush jointed, be smoothly plastered inside with mortar, from top to bottom below the roofing; be securely built into the brick work of the walls to which they are hung; shall be topped out at least four feet above the highest part of roof with brick or stone, and the topping out shall not have more than two inches projection, unless covered by a cap of approved incombustible material, properly secured; and in no case shall a nail be driven into the masonry of any flue.

Shell of flues.

SECT. 72. The shell of all flues for brick ranges, boilers, furnaces and ovens shall hereafter be of brick work eight inches thick, or its equivalent, to a height of twenty-five feet above such ranges, boilers, furnaces or ovens.

Flues to ranges or boilers.

SECT. 73. Ranges or boilers shall have the outside of the flue to the same exposed without covering, or if plastered shall be plastered on the outside directly upon the bricks, up to the ceiling of the room, and no wood work shall be placed on the outside of the same.

Headers, trimmers and metal fire stops.

SECT. 74. All floor timbers, headers and trimmers of every brick building hereafter erected or altered, in which a chimney is to be built in a brick wall, shall be placed distant at least two inches from the outside of every chimney flue, and the space between such timbers and the brick work of chimney shall be closed by a proper fire stop of incombustible material.

See Plate 17.

Open fire-places, hearths, trimmers, arches, etc.

SECT. 75. All hearths shall be supported by trimmer arches of brick or stone; or be of single stones at least six inches thick and supported entirely by iron beams, one end of which shall be securely built into masonry of chimney or adjoining wall. The brick jams of every fire-place, range or grate opening must be at least eight inches wide each, and the backs of such openings must be at least eight inches thick to at least two feet above such openings. All such

See Plate 18.

hearths and supports shall be at least twelve inches longer than the width of such openings, and at least eighteen inches wide in front of the chimney breast. The brick work over all fire-place and grate openings shall be supported by proper iron bars or brick or stone arches.

SECT. 76. If any chimney, flue or heating apparatus on any premises shall, in the opinion of the inspector, endanger the premises, the inspector shall at once notify in writing the owner or agent of said premises. If such owner or agent fails for a period of forty-eight hours after the service of said notice upon him to make such chimney, flue or heating apparatus safe, he shall be liable to a fine of not less than twenty nor more than fifty dollars for every day's continuance thereof, to be paid into the treasury of said city.

Unsafe chimneys, flues and heating apparatus.

SECT. 77. Every smoke pipe in a building entering a chimney flue shall be at least twelve inches from every wooden floor, ceiling or partition; shall be guarded by a soapstone ring not less than four inches in thickness, extending through the partition, or by a double metal collar, with an air space of not less than four inches around the same when running through any stud or wooden partition; and no smoke pipe shall project through any external wall or window.

Smoke pipe, how protected.

SECT. 78. The smoke pipe of every furnace shall be kept at least one foot distant from all beams and ceilings not protected by a shield of tin plate at least two inches distant from said beams or ceiling; and no smoke pipe shall be placed nearer than twelve inches to any beam or ceiling, unless the beam and ceiling are plastered, in which case the pipe may be kept within six inches of the plastering, if protected by the above described shield; and the top of all heating furnaces set in brick shall be covered with brick, supported by iron bars, and so constructed as to be perfectly tight; said covering to be in addition to and not less than six inches from the ordinary covering to the hot air chamber.

Furnaces and smoke pipe to same.

SECT. 79. No furnace and no range set in masonry shall hereafter be placed or its location changed in any building except as the inspector shall approve.

Furnaces, etc, permit to set.

SECT. 80. The top of every heating furnace not set in

Furnaces.



brick shall be kept at least six inches below the beams or ceiling, with a shield of tin plate, made tight, suspended not less than two inches below the said beams or ceiling, and extending one foot beyond the top of the furnace on all sides. If the ceiling over a furnace is plastered the top of the brick work may be kept within six inches of the ceiling.

Register boxes.

SECT. 81. All hot air register boxes hereafter placed in the floors or partitions of buildings shall be set in soapstone borders not less than two inches in width, firmly set in plaster of Paris, or gauged mortar, or such other protection as shall in the judgment of the inspector be equivalent to soapstone; shall be made of tin plate, with a flange on the top to fit the groove in the soapstone, and shall have an open space of one inch on all sides, extending from the under side of the ceiling, below the register, to the soapstone in the floor or partition; the outside of said space covered with a casing of tin plate, tight on all sides, and extending from the under side of the aforesaid ceiling up to and turn under the said soapstone; register-boxes of fifteen by twenty-five inches or more shall have a space of two inches.

Hot air and steam pipes.

SECT. 82. No wood work shall hereafter be placed nearer than one inch to any tin or other metal pipe, to be used to convey heated air or steam in any building, unless protected in a manner satisfactory to the inspector, and such wood-work shall be protected by a soapstone or earthen ring or tube, or a metal casing.

Steam boilers to be enclosed.

SECT. 83. Every building in which a steam-boiler of ten or more horse power is placed shall have the space on the floor allotted for said boiler, enclosed in incombustible material satisfactory to the inspector, and shall be so arranged that all openings between the said boiler room and the other parts of the building in which it is placed shall be protected by iron or metal covered doors, which shall be securely closed at the close of each day.

Permit and license required to erect and set steam boilers, etc.

SECT. 84. Upon a license being granted for the erection of a steam boiler, engine or furnace for melting glass, or metal, in any building, the person or persons receiving such license shall, before setting, erecting or placing said boiler,

engine or furnace, obtain a permit thereof from the inspector, who shall prescribe such regulation for the setting or placing thereof as the public safety may require.

SECT. 85. No boiler to be used for steam or motive power, and no furnace for melting glass or metal, shall be placed on any floor above the cellar or basement floor unless the same is set upon wrought iron beams and brick arches, and in no case without a permit from the inspector. All wood work and timbers shall be removed from the floor under the same. Steam boilers, how set.

SECT. 86. All floors shall be constructed to bear a safe weight, per superficial foot, exclusive of materials, as follows: Construction of floors. For dwellings, tenements or lodging houses, one hundred pounds; for buildings for light mechanical purposes, and for public buildings, one hundred and fifty pounds; for store-houses, warehouses, machine shops, armories, drill rooms, and riding schools, not less than two hundred and fifty pounds. These requirements shall apply to all alterations, as well as to new buildings.

SECT. 87. All timber used in the construction of floors or roofs of brick buildings shall be straight grained and free from large and loose knots or weakening shakes. Roof and floor timbers.

SECT. 88. Every header more than four feet long, used in any building except a dwelling, shall be hung in stirrup irons of suitable dimensions for the size of the timbers, and securely joint bolted. All tail beams shall be properly framed or hung to headers. Headers and tail beams.

SECT. 89. The ends of all floor beams and rafters of a brick building entering a wall shall be cut on a splay of three inches in their width. Timbers splayed.

SECT. 90. All main partitions supporting in any manner floor beams or rafters of a brick building shall be placed directly over each other, shall rest on a wall or metallic girder, and shall head and foot against each other as far as practicable. Main partitions to head and foot.

SECT. 91. No floor timber, header or trimmer of a brick building shall be cut into more than two inches in depth for piping, without permit from the inspector, and no cutting Timber not to be cut for piping.

shall be made in any timber at a greater distance than three feet from its support.

Roofing and  
height of roof  
above upper  
floor.

SECT. 92. The roof of every brick building hereafter built shall be covered with incombustible roofing material, shall be constructed not more than one story in height, nor more than twenty feet in height from the upper floor of the building upon which it is placed to the highest part of said roof, unless made of incombustible material throughout.

Scuttles and  
bulkheads.

SECT. 93. All brick buildings, more than twenty feet in height, shall have scuttle frames not less than two by three feet in size; and covers, or bulkheads and doors, on the roof, made of or covered with some incombustible material; and every scuttle shall have a stationary step ladder, and every bulkhead shall have stairs furnished with a sufficient guard or hand rail, all ready for use at all times, and in a tenement house such scuttle or bulkhead shall never be locked, but may be fastened by a hook on the inside.

Exterior parts  
of brick  
building above  
45 feet to be  
covered with  
incombustible  
material.

SECT. 94. All the exterior parts of every brick building hereafter erected, which are more than forty-five feet above the level of the sidewalk, shall be made of or covered with incombustible material.

Fire proof  
shutters.

SECT. 95. All brick buildings hereafter built to be used for warehouses, stores, storehouses, or manufactories, more than forty-five feet in height, shall have doors or shutters made of or covered with fireproof material on every window and entrance which does not open on a street more than twenty feet in width; and when such shutters or doors cannot be put on the outside of such door or window, they shall be put on the inside, and be hung upon an iron frame independent of the wood work of the window frame or door, or to iron hinges in rabbets in the masonry; and every such door or shutter shall be closed upon the completion of the business of each day, by the occupant having the use or control of the same; and all fireproof shutters that now are or may hereafter be put upon any building on the street fronts, shall be so constructed as to be closed and opened from the outside above the first story.

Grade of  
cellars.

SECT. 96. No cellar or basement cellar of any building shall be constructed below the grade of twelve feet above



mean low water; *provided, however*, that the board of aldermen may, by license, subject to revocation at any time by them, authorize cellars or basement cellars to be constructed in buildings, no part of which is to be used as a dwelling, so much below said grade as they may designate in each license.

SECT. 97. All buildings built upon filled or made land shall have a bed of concrete, of hydraulic cement and gravel or tar and gravel, or asphalt, not less than two inches in thickness, spread over the cellar bottom, or shall be paved with brick laid in cement, throughout the whole extent of the building; and where there is a basement floor over the cellar bottom, there shall be an air space between the concrete and said floor, unless the floor is planked directly upon the concrete. The air space shall be properly ventilated.

Cellar bottoms  
on filled land.

SECT. 98. All buildings hereafter built shall have only iron drains within the buildings and extending five feet outside of the wall of the buildings; and where the said drain pipe passes through the wall there shall be a relieving arch, stone lintel, or iron pipe inserted to relieve said iron drain. All drains below cellar floor or grade twelve shall be laid with proper fall to sewer in a trench, the sides of which shall be walled with brick masonry, and the base in concrete, thoroughly rammed and graded, and made accessible by movable covers.

Drains.

SECT. 99. All drain pipe hung to wall or ceiling shall be firmly hung.

Drain pipe,  
how hung.

SECT. 100. The roof of every building shall be kept in good repair, and all rain water shall be so drained or conveyed therefrom as not to drip on the ground or cause dampness in the walls, yard or area.

Roofs to be kept  
in repair.

SECT. 101. All brick buildings shall be kept provided with suitable watertight metallic leaders, and all other buildings with watertight metallic or wooden leaders for conducting the water from the roof to the ground, and all water shall be conducted from a building or from land to the street, gutter or sewer in such a manner as not to flow upon the sidewalk.

Leaders or  
conductors.

SECT. 102. The insides of all furred brick walls of every brick building hereafter constructed shall have a fire belt or stop, composed of some fireproof material, at least six inches

Fire stops,  
where to be  
located, and  
how con-  
structed.

See Plate 19.

Floors to be  
deafened.

See Plate 20.

See Plate 21.

Fire stops.

Fire proofing,  
where required.

wide, and thoroughly set up between furrings at the top and bottom of each story ; and the whole area of every floor from wall to wall shall be deafened with plaster at least one inch thick, or two thicknesses of asbestos paper, or other incombustible material satisfactory to inspector, the same to be placed upon the under or rough flooring ; and in each story, in which stud walls or partitions are constructed and rest on walls or other partitions, said stud walls and partitions shall have the spaces between the floor joists immediately under such walls or partitions, and between studs from the under side of said joists to a line six inches above the top of said joists, filled solid and flush with face of plastering on both sides with mortar, cement, plaster or other incombustible material ; and if such studs or partitions shall rest on solid timber or joists for the whole length thereof, such filling as above described shall be placed from the top of such joists to the same height as above specified, or a strip of tin or galvanized iron at least one inch wider than the width of said studding, and continuing under the footing of such walls or partitions, may be substituted for the filling above specified, where there is no partition or wall under. The spaces between stringers or carriages, and between floor joists of landings of all wooden staircases, unless such stringers and joists are left exposed and uncovered, shall be pugged solid with mortar or other incombustible material, or the spaces between stringers shall be closed at intervals of three feet by substantial stops of incombustible material.

SECT. 103. The various forms of construction tending to create or form air passages from one story to another, such as spaces around pipes, ventilating shafts, or chimneys furred off to form breasts, in every brick building hereafter erected or altered, shall have a fire and smoke stop of incombustible material at each floor, approved by the inspector. All ventilation ducts shall be of incombustible materials.

SECT. 104. Upright supports of other material than brick, used below the grade of the street, and cast iron beams or girders or stone lintels, used for supports in every brick building, hereafter erected or altered, shall be protected by fire-proof material.

SECT. 105. Every building occupied above the second floor from the level of the street by two or more families and every building occupied as a tenement, boarding or lodging house, or for a factory, mill or manufactory, or for offices or workshops in which persons are employed above the second floor, and every school building more than two stories in height, shall be provided with suitable facilities for escape in case of fire, in good repair at all times, and sufficient for the safe egress in case of fire of all the persons usually employed in or frequenting the building; and where fire-escapes are authorized by the inspector on the outside of a building, they may project over the highway, and shall have suitable connection with the ground.

Egress from tenement and lodging house, factory, mill, manufactory, office and work shop.  
1888, c. 366, § 1.

SECT. 106. Any building provided with stairways or fire escapes approved by the inspector, shall be deemed to be provided with sufficient facilities for escape in case of fire, as required by the preceding section. The owner of any building which is provided with stairs on the outside shall construct such stairs with railed landings at each story above the first, and connect them with each story by doors or windows. No person shall place any obstruction on any outside stairway or fire escape.

Egress for women and children.  
1888, c. 366, § 2.

Stairways and fire escapes not to be obstructed.

SECT. 107. All elevator cars and hoists, not including lifts twenty-eight inches square, and except those constructed in dwelling houses, shall run in shafts with brick walls not less than eight inches thick, or walls covered with incombustible material, with proper fire stops, or in the well room of a fire-proof stairway enclosed in the same manner and carried up through the roof not less than one foot and six inches; said shafts to be covered with a ventilating skylight.

Elevator cars, etc., to be run in shafts.

SECT. 108. Every opening into a shaft or hoistway shall be protected by sufficient automatic rails or gates and trap doors, or such other mechanical devices as shall be equivalent thereto; and every elevator car and hoist shall be provided with some sufficient arrangement to prevent the falling of the car or hoist in case of any accident to the ropes, or other hoisting apparatus. Every opening, other than a stairway, through the floor, or into an elevator shaft or hoistway, shall

Automatic rails, gates and trap doors.  
1888, c. 366, § 3.



be securely closed at the close of each day by the occupant ; and, if there is no occupant, by the lessee or owner.

Openings into  
shafts, how  
protected.  
1888, c. 366, § 4.

SECT. 109. All openings within the building into a hoist shaft, except shafts for passenger elevators, shall be furnished with metal, or metal covered doors, hung to rabbeted iron frames, with iron thresholds to the same ; and said doors shall be kept closed when not in use by springs of sufficient strength. Equivalent protection shall be maintained in the case of passenger elevators. Windows or openings in an external wall into a hoistway or elevator shaft shall have three iron bars painted red perpendicularly across and equally dividing the window or opening.

Hoistways, etc.,  
to be approved.

SECT. 110. No hoistway, elevator car, or hoist shall be used in any building until approved by the inspector.

Unsafe  
buildings, etc.

SECT. 111. The owner, or other party having an interest in any building, staging or other structure, or anything attached to or connected with a building or other structure, which shall be unsafe so as to endanger life, shall, immediately upon notice received from the inspector of buildings, cause the same to be made safe and secure, or taken down ; and where the public safety requires immediate action, the inspector may enter upon the premises with such assistants as may be necessary, and cause the said structure to be secured or taken down without delay, and the passers by to be protected at the expense of such owner or party interested. No staging or stand for observation purposes shall be constructed or occupied upon the roof of any building in said city.

Unsafe  
buildings, etc.

SECT. 112. Every building which shall appear, to the inspector, to be specially dangerous in case of fire, by reason of bad condition of walls, overloaded floors, defective construction or other causes, shall be held to be unsafe ; and the inspector, besides proceeding as provided in the preceding section, shall also affix a notice of the dangerous character of the structure to a conspicuous place on the exterior wall of said building ; and any person removing such notice so affixed shall be liable to a fine of not less than ten nor more than fifty dollars for each and every offence, to be paid into the treasury of said city.

SECT. 113. The owner, or party having an interest in the unsafe building or structure, mentioned in the two preceding sections, being notified thereof in writing by the inspector, shall forfeit and pay a fine to the use of said city, for every day's continuance thereof after such notice, a sum not less than ten nor more than fifty dollars, on complaint before any court of competent jurisdiction.

SECT. 114. No explosive or inflammable compound or combustible material shall be stored or placed under any stairway of any building, or used in any such place or manner as to obstruct or render egress hazardous in case of fire.

SECT. 115. Any building that may be hereafter erected in an isolated position, and more than one hundred feet in depth, and which shall not have cross walls, shall be securely braced during construction, both inside and out, if practicable; or if outside bracing is not practicable, it shall be properly braced from the inside, and the braces shall be continued from the foundation upward to at least one-third the height of the building from the sidewalk level.

SECT. 116. Every public building hereafter erected, and every building hereafter altered to be used as a public building, in addition to all other provisions applicable to such buildings, shall have at least one frontage for its entire height of at least one entire side of the auditorium and lobbies, passages and stairways of exit on that side, on a street, court or open passageway fifteen feet or more wide, and at least two-thirds of the entire width of exits and entrances shall open on to such street, court or passageway; shall have the doors, halls, corridors, lobbies, stairways, passages and aisles wide, direct, and so constructed and arranged as to afford easy egress for the occupants under all circumstances; and exits and entrances shall, as far as practicable, be identical; shall have all doors open outwards, and of the full width of the passages from which they open; shall have the passages of exit and stairways at least five feet wide and of an aggregate capacity in width of not less than twenty inches for each one hundred persons that said building may at any time contain. This provision to apply to the exits from each

Unsafe  
buildings, etc.

Explosive  
compounds,  
etc., not to be  
placed under  
stairways.

Bracing for  
isolated  
buildings more  
than 100 feet in  
depth.

Exits for public  
buildings.

Heating and lighting apparatus to be approved by inspector.

Fire service and apparatus to be provided as the inspector deems necessary.

Obstructions in aisles, etc., not allowed.

Changes of floor levels except stairways.

Overheads beneath floors to be protected.

Stairways, lobbies, corridors, etc., to be enclosed in brick walls.

Rails to stairs and landings.

division, gallery or compartment of such building, as well as to the exterior openings; shall have the corridors, lobbies, stairways, passages and aisles of equal or increasing width, towards the exits, and without any projection into them within six feet of the floor; shall have the halls, corridors, doors, stairways, seats and aisles so arranged as to facilitate egress, and as the inspector may approve; and shall have all pipes and apparatus used in heating or lighting, and all lights, protected to the satisfaction of the inspector; and shall have such fire service and apparatus for the extinguishment of fire as the inspector may deem necessary. All exits from any public building shall be opened for the use of every departing audience.

SECT. 117. No temporary seats or other obstructions shall be allowed in any aisle, passageway of exit or entrance, or stairway of a public building; and no person shall be allowed to stand or remain therein while the building is in use.

SECT. 118. All changes of level in the floors of public buildings, except regular stairways, from story to story, and except the necessary steps in galleries and balconies, rising toward the exits, shall be made by inclines of no steeper gradient than two in ten within the auditorium, and rising toward the exits, and one in ten for all others.

SECT. 119. The overheads, immediately beneath the floors of the auditorium, lobbies, hall rooms, galleries, stairways, landings and corridors of public buildings shall be protected by some incombustible material, such as wire lathing and plastering; and the stair carriages and framing shall be pugged solid to line of treads, risers and landing floors with some incombustible material.

SECT. 120. All partitions of public buildings enclosing the stairways, lobbies and corridors, or separating them from auditorium or anterooms, shall be of brick masonry; or of heavy studding, brick nogged throughout or otherwise made non-combustible.

SECT. 121. All stairs and landings of public buildings shall have proper hand rails on both sides firmly secured to walls, or to strong posts and balusters throughout their entire length;



and wide stairways shall have one or more intermediate rails on strong vertical supports, as approved by inspector.

SECT. 122. The rise of stairs of public buildings shall not exceed seven and one-half inches, nor the going be less than ten and one-half inches. No winders less than seven inches wide at the narrowest end, or flights of less than three steps, shall be introduced, and there shall be a full landing to at least every fifteen steps.

Stair winders, treads and risers.

SECT. 123. Every approach or exit of a public building, under or through any other building, shall have solid brick walls, and the floors and ceilings shall be of approved incombustible and fire resisting materials, and there shall be no openings through said walls, floors or ceilings.

Exits of public buildings, through other building.

SECT. 124. No boiler, furnace, engine or heating apparatus, except steam pipes and radiators, shall be located under the auditorium, nor under any passage or stairway of exit of a public building.

Boilers, etc., in public buildings.

SECT. 125. The lights for the rear of the auditorium, and for all passages and stairways of exit of every public building, shall be independent of the lights of the rest of the auditorium and platform, and shall be so arranged that they cannot be turned down or off from the platform.

Lights for public buildings.

SECT. 126. Every building hereafter built or altered, to be used as a theatre, for dramatic, operatic or other similar performances, involving the use of a fixed stage, with movable or shifting scenery, curtains and machinery, shall be a brick building, and be of fire resisting construction throughout, so far as the nature of its uses will permit, and in addition to all other provisions applicable to a public building, shall have the highest part of main floor of auditorium not more than seven feet above the sidewalk of the open street, court or passageway on which the main doors of exit shall be located; shall have at least two independent exits for each division, compartment or gallery of the auditorium; and for each gallery or division above the first floor shall have independent stairways, and such stairways and exits shall be located as far apart as practicable. The lobbies shall be separated from the auditorium by brick or other fire resisting walls;

Theatres hereafter built or altered to be of brick and fire resisting construction throughout.

Main floor to be not over seven feet above street, etc.

and all walls, floors and landings of stairways and all stairs shall be of incombustible materials; and all doors from auditorium to lobbies and stairways shall be of metal covered wood and self closing. There shall be lobbies adjoining each division of the auditorium sufficiently large to furnish standing room for all persons that such division may at any time contain.

Additional exits  
for theatres.

SECT. 127. In addition to the exits hereinbefore required for all public buildings, there shall be provided, if practicable, for every theatre, direct exits from the main floor of auditorium to a street, court or open passage way; and these exits shall be provided with such light doors or sashes, opening outwards, and secured only on the inside, as may readily be forced open in case of fire or panic.

Stage of theatre  
to be separated  
from audi-  
torium by brick  
wall sixteen  
inches in thick-  
ness, etc.

SECT. 128. The stage of every theatre shall be separated from the auditorium by a brick wall sixteen inches thick, or its equivalent, which wall shall extend the entire width of the building, and from ground to roof, and from ground to stage floor, and be topped out as a party wall. There shall be no openings through this wall except the curtain opening, and not more than two others, to be located at the level of or below the stage; these latter openings shall not exceed twenty-one superficial feet each, and shall have tinned wood, self closing doors, securely hung to rabbets in the brick work.

Proscenium  
arch, how  
carried.

SECT. 129. The wall over the curtain opening of every theatre shall be carried by a brick arch, or by an iron truss or girder; and if a truss or girder is used it shall be covered by materials non-conductive of heat, and a girder shall be spanned by a sufficient relieving arch of brick in cement.

Roof trusses.

SECT. 130. The roof trusses of every theatre shall be covered with incombustible material.

Finish and  
decorations.

SECT. 131. The finish or decorative features around the curtain opening of every theatre shall be of incombustible materials, well secured to masonry.

Scenery,  
curtains, etc.

SECT. 132. All scenery, curtains and exposed wood work of the stage of every theatre shall be thoroughly covered or saturated, if practicable, with fire resisting material, approved by inspector.

SECT. 133. The fixed portions of stage, fly floors and tie floors of every theatre shall be of approved incombustible material, except that the flooring may be of wood. Stage, fly floors, etc.

SECT. 134. The under side of flooring of fly floors of every theatre shall be covered with approved incombustible materials, and the tie floor shall have an open flooring of slats, set their full width apart. Under side of fly floors, how protected.

SECT. 135. All scene docks, carpenter or property shops, and wardrobes of every theatre, shall be separated from stage, auditorium and dressing room divisions by solid brick walls, not less than twelve inches thick, with no openings to the auditorium or dressing room divisions; and all openings to the stage shall have tinned wood, self-closing doors, securely hung in rabbets in the brick work. Scene docks, carpenter or property shops, and wardrobes.

SECT. 136. All rooms and premises in every theatre for the use or occupancy of persons employed therein shall be located in secure positions, and shall have at least two independent exits, as remote from the stage as practicable; and all parts of such rooms and premises, with their passages and stairways, shall be of fire resisting construction. Employees' rooms, how located.

SECT. 137. There shall be at least two two-inch high service stand pipes on the stage of every theatre, with ample provision of hose and nozzles at each level of the stage on each side, and the water shall be kept turned on during the occupancy of the building. The said pipes shall have two gates, one above the other, with a proper test or waste valve; the lower gate to be kept open at all times except when testing the upper gate to ascertain if it is in order for use. The proscenium opening shall be provided with a two and one-half inch perforated iron pipe, so constructed that, in case of an emergency, it will form a complete water curtain for the entire proscenium opening, and there shall be such additional fire apparatus and perforated iron pipes or automatic sprinklers as the inspector shall direct. Said pipes shall be supplied with water by high pressure service, and be at all times ready for use. Number and location of high-service stand pipes.

SECT. 138. There shall be one or more ventilators near the centre and above the highest portion of stage of every thea- Number and location of ventilators.



tre constructed of incombustible materials, and equal in combined area of opening to one-tenth of the area of stage floor. Said ventilators shall have valves or louvers so counterbalanced as to open automatically, and shall be kept closed when not in use, by cords or wires reaching to the prompter's desk, and readily operated therefrom. There shall also be a proper arrangement of combustible cords, or fusible connections to open the ventilating valves automatically, by the action of fire on the stage.

Curtain.

SECT. 139. The proscenium or curtain opening of every theatre shall have a fire resisting curtain of incombustible material, reënforced by wire netting, or otherwise strengthened; if of iron, or similar heavy material, and made to lower from the top, it shall be so contrived as to be stopped securely at a height of seven feet above the stage floor; the remaining opening being closed by a curtain or valance of fire resisting fabric as above. Such curtain shall be lowered at the beginning and end of each and every performance, and shall, in its material, construction and mechanism be approved by the inspector

Stairways, how  
constructed in  
tenement and  
lodging houses.

SECT. 140. Every brick building hereafter erected or altered to be used for a tenement or lodging house, except those where there are not more than four families and having two separate stairways, shall have the stairways enclosed in brick walls not less than eight inches thick the entire height, and provided with a ventilating skylight so arranged with fire proof appliances that it may be operated from the lower hall in a manner satisfactory to the inspector, and the stairway side of said walls, if plastered, unless it is an outside wall, shall be plastered directly on the brickwork, and no opening or aperture shall be made in said walls except the requisite doors for entrance thereto and external windows; and the whole area of stairway not occupied by well rooms on each floor shall be deafened as provided in section one hundred and two. Other better fire proof or fire resisting construction may be substituted for the wood framing and deafening and wire lathing and plastering by permission of inspector. Every such building, if to be occupied by more than four

families above the first floor, shall have such additional stair-cases or means of egress as in the judgment of the inspector the safety of the occupants shall demand. If such staircase partitions are to commence at a level above the cellar bottom, they may be erected upon iron girders, and properly protected from fire, and the floor within said walls at the level of the girders shall be entirely of incombustible material.

SECT. 141. The exterior walls of every building hereafter erected or altered to be used for a tenement or lodging house, on a street not more than twenty feet in width, shall not exceed thirty feet in height.

Height of exterior walls of tenement and lodging houses.

SECT. 142. No building, of which any part is used for storage or sale of hay, straw, hemp, flax, shavings, burning fluid, turpentine, camphene or any inflammable oil, or other highly combustible substances, shall be occupied in any part as a dwelling, tenement or lodging house; except that rooms for coachmen or grooms may be allowed in connection with the private stables authorized by this act, by permission of inspector. All receptacles for ashes in any tenement or lodging house shall be enclosed with incombustible material satisfactory to inspector.

Hay, straw, hemp, flax, shavings, burning fluid, turpentine, camphene and inflammable oil, not to be stored in any dwelling, tenement and lodging house. Receptacles for ashes to be of incombustible material.

SECT. 143. Every tenement or lodging house shall have in the roof, at the top of the hall, a ventilator; shall also be provided with a fire escape, or means of escape in case of fire, both to be approved by the inspector; shall have in every room occupied as a sleeping room and which does not communicate directly with the external air, a ventilating or transom window, having an opening or area of three square feet over the door leading into and connected with the adjoining room, if such adjoining room communicates with the external air, and also a ventilating or transom window, of the same opening, in such other place as the inspector may direct, but no transom window shall be placed in a partition wall enclosing a main stairway; shall also have proper stairs, strong balusters, posts, railings, and kept in good repair.

Additional requirements for tenement and lodging houses.

SECT. 144. All ordinances and parts of ordinances of said city now in force, relating to the building limits and the inspection and survey of buildings, shall remain in force until

Ordinances to remain in force until repealed or amended.

amended or repealed by said city, and all officers elected or appointed under the provisions of said ordinances or the acts repealed, shall continue to hold office for the terms for which they were elected or appointed and until their successors are elected or appointed in accordance with this act, unless sooner removed.

Injunctions.

SECT. 145. Any court having equity jurisdiction, in term time or vacation, may, on the application of the inspector, by any suitable process or decree in equity, enforce the provisions of this act, and may, on such application, issue an injunction to restrain the use or occupation of any building or structure in the city of Boston, erected, altered, maintained or used in violation of this act.

Penalties.

1888, c. 366, § 5.

SECT. 146. Any person who shall build or alter any wall, building or other structure, or part thereof, in violation of any provision of this act, or who shall, after twenty-four hours' notice from the inspector, maintain or use any such wall, building or other structure, or part thereof, so built or altered, or shall violate any provision of this act, shall be punished by a fine of not less than fifty nor more than five hundred dollars, to be paid into the treasury of said city, unless another penalty is hereinbefore specifically provided.

Repeals.

SECT. 147. Chapter two hundred and eighty of the acts of the year eighteen hundred and seventy-one, chapters two hundred and sixty, and three hundred and seventy-one, and three hundred and seventy-seven of the acts of the year eighteen hundred and seventy-two, chapters two hundred and ninety-eight and three hundred and thirty-eight of the acts of the year eighteen hundred and seventy-three, chapters sixty-nine and one hundred and seventy-six of the acts of the year eighteen hundred and seventy-six, chapters one hundred and one, and sections three, four and seven of chapter two hundred and fifty-two of the acts of the year eighteen hundred and eighty-two, and chapter one hundred and fifty-five of the acts of the year eighteen hundred and eighty-three are repealed.



CHAPTER 124, ACTS 1810, AS AMENDED BY  
CHAPTER 109 OF 1860.

STABLES.

SECTION 1. That from and after the passing of this act no building shall be erected within the town of Boston, and used and improved as a stable, for the taking in and keeping horses or chaises, or other carriages, upon hire or to let, commonly called livery stables, within one hundred and seventy feet of any church or meeting-house, erected for the public worship of God, without the consent in writing of the proprietors of such church or meeting-house, or of the religious society or parish worshipping therein, and the consent of the mayor and aldermen of the city of Boston: *Provided, however,* that this act shall not be so construed as to prevent the finishing of any stable which has been in part erected, if the completion thereof shall be approved by the selectmen of the town of Boston.

Stables not  
allowed within  
175 feet of a  
church.

SECT. 2. Be it further enacted, that for any offence against the provisions of this act, the owner or owners, keeper or keepers, of such building shall forfeit and pay the sum of one hundred dollars for every calendar month during which the same shall be so used and improved, to be recovered by action of debt, one-half thereof to enure to the use of the poor of the town of Boston, and the other half thereof to him or them who shall sue for the same.

Penalty.

CHAPTER 369, ACTS OF 1869.

AN ACT CONCERNING THE ERECTION OF STABLES IN THE  
CITY OF BOSTON.

SECTION 1. No person shall hereafter erect, occupy or use any building for a stable in the city of Boston, except in such place as the board of aldermen of said city shall first in writing approve and direct, and every person so erecting, using or occupying a building without such approval shall

Licenses to  
occupy stables  
required from  
Board of  
Aldermen.

Penalty.

forfeit a sum not exceeding fifty dollars for every month he so uses or occupies such building, and in like proportion for a longer or shorter time; this act shall not apply to any stable now erected, occupied or used, so long as the same is not enlarged or rebuilt.

Injunction may be issued.

SECT. 2. The supreme judicial court, or any justice thereof, either in term time or vacation, may issue an injunction to prevent the erection, occupancy or use of any stable contrary to the provisions of this act.

SECT. 3. This act shall take effect in three months after its passage. [*Approved June 9, 1869.*]

## CHAPTER 192, ACTS OF 1878.

### AN ACT RELATIVE TO THE REBUILDING AND IMPROVEMENT OF STABLES IN THE CITY OF BOSTON.

Chap. 280, 1871,  
repealed by  
Chap. 374, 1885.

SECTION 1. Any stable now or hereafter legally existing in the city of Boston may, with the consent of the mayor and aldermen of said city, be rebuilt, enlarged and improved, in accordance with the provisions of chapter two hundred and eighty of the acts of the year eighteen hundred and seventy-one, and the several acts in amendment thereof regulating the construction of buildings in the said city.

SECT. 2. This act shall take effect upon its passage. [*Approved April 26, 1878.*]

## CHAPTER 252, ACTS OF 1882.

Elevators, etc.,  
may be  
regulated by  
ordinance.

SECTION 1. The city of Boston may, by ordinance, regulate the building, management and inspection of elevators, hoistways and elevator shafts in said city.

City may by  
ordinance  
require regis-  
tration of  
plumbers.

SECT. 2. The said city may, by ordinance, require the registration of all persons carrying on the business of plumbing in said city, and prescribe rules and regulations for the materials, construction, alteration and inspection of all pipes, tanks, faucets, valves and other fixtures, by and through

which water and sewage are used and carried; and provide that no such pipes, tanks, faucets, valves or other fixtures shall be placed in any building in said city, except in accordance with plans which shall be approved by the inspector of buildings of said city.

May make rules for governing plumbing.

SECT. 5. The facts and returns relative to steam boilers, required to be ascertained by section ninety-two of chapter eleven of the public statutes, shall be ascertained and made in the city of Boston, by the inspector of buildings, and not by the assessors.

See P. S., chap. 11, § 92. Steam boiler returns to be made by inspector of buildings.

SECT. 6. The said city may impose penalties not exceeding fifty dollars for each offence, for any violation of the provisions contained in sections one and two of this act.

Penalties that may be imposed.

## CHAPTER 173, ACTS OF 1883.

If any elevator, whether used for freight or passengers, shall, in the judgment of the inspector of factories and public buildings of the district in which such elevator is used, or, in the city of Boston, of the inspector of buildings of said city, be unsafe or dangerous to use, or has not been constructed in the manner required by law, the said inspector shall immediately placard conspicuously upon the entrance to or door of the cab or car of such elevator a notice of its dangerous condition, and prohibit the use of such elevator until made safe to the satisfaction of said inspector. Any person removing such notice or operating such elevator while such notice is placarded as aforesaid, without authority from said inspector, shall be punished by a fine of not less than ten nor more than fifty dollars for each offence.

Unsafe elevators, etc.

Use when prohibited by placard, on elevator, cab or car.

Penalty for removing such placard.



## CHAPTER 251, ACTS OF 1883.

Watchmen and  
red lights in  
hotels, etc.

See chap. 251,  
1883, and chap.  
223, 1884.

Watchmen in  
hotels, etc.,  
additional  
requirements.

No license to  
hotel keepers to  
be granted until  
requirements  
have been com-  
plied with.

Penalties.

SECTION 1. Every keeper of a hotel, boarding or lodging house containing one hundred or more rooms, and being four or more stories high, shall have therein at least two competent watchmen, each properly assigned, and each on duty between the hours of nine o'clock in the afternoon and six o'clock in the forenoon. And every keeper of a hotel, boarding or lodging house containing fifty or more, but less than one hundred, rooms, and being three stories high, shall have between said hours at least one competent watchman on duty therein. And in all such hotels or lodging houses as are mentioned in this section the halls and stairways shall be properly lighted at night, and at the head and foot of each flight of stairs shall be kept during the night a red light; and one or more proper alarms, or gongs, capable of being heard throughout the house, shall always remain easy of access and ready for use in each of said buildings, to give notice to the inmates in case of fire; and every keeper of such hotel, boarding or lodging house shall keep posted in a conspicuous place in every sleeping room a notice descriptive of such means of escape.<sup>1</sup>

SECT. 3. The inspector of buildings in the city of Boston, the mayor and aldermen of other cities, and the selectmen of towns, shall prescribe as they deem necessary, except so far as is specifically required in the preceding sections, what additional night-watch shall be kept, and what further provisions for the prevention of fires, and for the better protection of life in case of fire, shall be made by the several keepers of hotels, boarding or lodging houses within their respective limits; and no license shall be granted to any keeper of a hotel embraced in the provisions of this act until the requirements thereof, so far as applicable, have been complied with.

SECT. 4. Whoever neglects or refuses to provide watchmen as required by this act shall be punished by a fine not

<sup>1</sup> NOTE.—Section 2, relating to fire escapes on hotels, boarding or lodging houses, factories, etc., repealed by Sect. 14, Chap. 426, of 1883.

exceeding one thousand dollars for each offence, and whoever violates any of the other provisions of this act shall be subject to the same penalty as is prescribed in section twenty-two of chapter one hundred and four of the Public Statutes.

## CHAPTER 223, ACTS OF 1884.

SECTION 1. All hotels, boarding and lodging houses, subject to the provisions of chapter two hundred and fifty-one of the acts of the year eighteen hundred and eighty-three, adopting a system of electric watch clocks that shall register at the office the movements of the watchman throughout the house, or adopting in the rooms any system of thermostats, or fire-alarm bells, that shall be approved by the inspector of factories and public buildings, or, in the city of Boston, by the inspector of buildings, shall be exempt from maintaining more than one watchman, in addition to the regular night-clerk and porters.

When electric watch clocks, thermostats or fire-alarm bells may be substituted for watchmen.

SECT. 2. The provisions of this act and of said chapter two hundred and fifty-one of the acts of the year eighteen hundred and eighty-three shall apply to family hotels, except that the maintenance of a watchman shall not be required in family hotels in the city of Boston when in the opinion of the inspector of buildings of said city, reduced to writing and placed on file in his office, such maintenance is unnecessary.

When watchmen may be omitted.

## CHAPTER 382, ACTS OF 1885.

### AN ACT IN RELATION TO THE PRESERVATION OF HEALTH IN BUILDINGS IN THE CITY OF BOSTON.

SECTION 1. Every building in the city of Boston used as a dwelling, tenement or lodging house, or where persons are employed, shall have at all times such number of good and sufficient water closets, earth closets, or privies as the board of health of said city may determine, but the occupants of any two or more of any such buildings may use such closets

Dwelling, tenement and lodging houses to be furnished with good and sufficient water closets.

or privies in common, provided the access is easy and direct ; and said board shall not require more than one such closet or privy for every twenty persons.

Cesspools or privies not allowed except by permission of board of health.

SECT. 2. Every such building situated on a street in which there is a sewer, shall have water closets, and shall not have a cesspool or privy connected with it, except where, in the opinion of the board of health, it can be allowed to remain for a longer time, and then only as said board shall approve.

Buildings used for tenement or lodging houses to conform to this act.

SECT. 3. No building in the city of Boston shall be converted into, or used for a tenement or lodging house, unless, in addition to the other requirements of law, it conforms to the provisions of this act.

SECT. 4. In this act the following terms shall have the meanings respectively assigned to them, viz. : —

Definitions.

"CELLAR" means a basement or lower story of any building of which one-half or more of the height from the floor to the ceiling is below the level of the street adjoining.

"INSPECTOR" means inspector of buildings of the city of Boston.

"LODGING HOUSE" means a building in which persons are temporarily accommodated with sleeping apartments, and includes hotels.

"TENEMENT HOUSE" means a building which, or any portion of which, is to be occupied, or is occupied as the residence of more than three families living independently of one another, and doing their cooking upon the premises ; or by more than two families upon any floor above the second floor, so living and cooking.

Yards or areas to be constructed so that all liquid matter will flow to sewer.

SECT. 5. Every tenement or lodging house shall have the yard or area so connected with a sewer that all water and liquid filth will freely flow from it to the sewer, or, if there is no sewer, to the street gutter, by means of a passage under the sidewalk covering, so constructed as to be easily accessible to remove obstructions.

When tenement or lodging house is built on front of lot,

SECT. 6. If a building to be used for a tenement or lodging house is on the front of any lot where there is another building on the rear of the same lot, there shall be a clear,



open space, exclusively belonging to the front building, and extending upwards from the ground, of at least ten feet between said buildings, if they are one story high above the level of the ground.

there must be an open space on rear of said building, if there is another building in rear of said lot.

If they are two stories high, the distance between them shall not be less than fifteen feet; if they are three stories high, the distance between them shall be not less than twenty feet; and if they are more than three stories high, the distance between them shall be not less than twenty-five feet.

SECT. 7. If such building is on the back part of any lot, there shall be a clear, open space of at least ten feet between such building and every other building in its rear. But when thorough ventilation of such open spaces can be otherwise secured said distances may be lessened or modified, in special cases, by a permit from the board of health and the inspector.

When on back part of lot there must be an open space between such building and one in the rear.

SECT. 8. Every habitable room of such building not now used but hereafter used as a tenement or lodging house shall be, in every part, not less than eight feet in height from the floor to the ceiling, except in the attic, and shall be at least eight feet in height from the floor to the ceiling throughout not less than one-half the area of such room; and every such room shall have at least one window connecting with the external air, or over the door a suitable ventilator connecting with a room or hall which has a connection with the external air.

Height of rooms.

SECT. 9. The total area of window communicating with the external air, in every room of such building, shall be equal to at least one-tenth of the superficial area of the room; and the top of one at least of such windows shall be not less than seven feet six inches above the floor, and the upper half of each window shall be so made as to open for the purposes of ventilation.

Area of window openings.

SECT. 10. Every habitable room of such building, of area less than one hundred superficial feet, which does not communicate directly with the external air, and is without an open fireplace, shall be provided with special means of

When special means of ventilation are to be provided.

ventilation, approved by the board of health and the said inspector.

SECT. 11. Every such building shall have adequate chimneys running through every floor, with an open fireplace or grate, or place for a stove, properly connected with one of said chimneys, for every family and set of apartments; shall have proper conveniences and non-combustible receptacles for ashes and rubbish; shall have water furnished at one or more places in such house, or in the yard thereof, so that the same may be adequate and reasonably convenient for the use of the occupants thereof; and shall have the floor of the cellar properly cemented, so as to be water tight.

SECT. 12. Every such building used for a tenement or lodging house shall have suitable receptacles for garbage and other refuse matters, and shall not be used as a place of storage for any combustible article, or any article dangerous to life or detrimental to health; nor shall any horse, cow, calf, swine, pig, sheep or goat be kept in said building.

SECT. 13. Every such building, and the yard, court, passage, area and alleys belonging to the same, shall be kept clean and free from any accumulation of dirt, filth, garbage or other refuse matter, to the satisfaction of the board of health.

SECT. 14. The tenant of any lodging house or tenement house shall thoroughly cleanse all the rooms, floors, windows and doors of the house, or part of the house, of which he is the tenant, to the satisfaction of the board of health; and the owner or lessee shall well and sufficiently, to the satisfaction of said board, whitewash or otherwise cleanse the walls and ceilings thereof once at least in every year in the months of April or May, and have the privies, drains and cesspools kept in good order and the passages and stairs kept clean and in good condition.

SECT. 15. The owner, agent of the owner, and keeper of any lodging or tenement house, or part thereof, shall, when any person in such house is sick of fever, or of any infectious, pestilential or contagious disease, and such sickness is

Water supply.

Receptacle for garbage.

Yards, courts, alleys, etc., to be kept clean.

Tenants to thoroughly cleanse all rooms.

Owners to whitewash walls and have privies, etc., kept in good order.

Notice to be given of infectious disease.

known to such owner, agent or keeper, give immediate notice thereof to the board of health, and thereupon said board shall cause the same to be inspected, and cleansed or disinfected at the expense of the owner, in such manner as they may deem necessary; and may also cause the blankets, bedding and bedclothes used by any such sick person to be thoroughly cleansed, scoured and fumigated, and, in extreme cases, to be destroyed.

SECT. 16. The halls on each floor of every such building shall open directly to the external air, with suitable windows, and shall have no room or other obstruction at the end, unless sufficient light and ventilation is otherwise provided for said halls in a manner approved by the board of health.

Halls on each floor to open directly to external air.

SECT. 17. No person shall, without a permit from the board of health, let or occupy, or suffer to be occupied, separately as a dwelling or place of lodging and sleeping, any cellar or underground room whatsoever, unless the same be in every part thereof at least seven feet in height, measured from the floor to the ceiling thereof; nor unless the same shall have been so let or occupied before the passage of this act, nor unless the same be for at least one foot of its height above the surface of the street or ground adjoining, or nearest to the same; nor unless there be, outside of and adjoining the said vault, cellar or room, and extending along the entire frontage thereof, and upwards from six inches below the level of the floor thereof, up to the surface of the said street or ground, an open space of at least two feet and six inches wide in every part; nor unless the same be well and effectually drained by means of a drain, the uppermost part of which is one foot at least below the level of the floor of such vault, cellar or room; nor unless there is a clear space of not less than one foot below the level of the floor, except where the same is cemented; nor unless there be appurtenant to such vault, cellar or room the use of a water closet or privy, kept and provided as in this act required, nor unless the same have an external window opening of at least nine superficial feet clear of the sash frame, in which window opening there shall be fitted a frame filled in with glazed sashes, at least

Cellar or underground room not to be used as a dwelling, etc.



- four and a half superficial feet of which shall be made so as to open for the purpose of ventilation; *provided, however*, that in case of an inner or back vault, cellar or room, let or occupied along with a front vault, cellar or room, as a part of the same letting or occupation, it shall be a sufficient compliance with the provisions of this act if the front room is provided with a window as hereinbefore provided, and if the said back vault, cellar or room is connected with the front vault, cellar or room, by a door, and also by a proper ventilating or transom window, and, where practicable, also connected by a proper ventilating or transom window, or by some hall or passage, with the external air; *provided further*, that in any area adjoining a vault, cellar or underground room, there may be steps necessary for access to such vault, cellar or room, if the same be so placed as not to be over, across or opposite to said external window, and so as to allow between every part of such steps and the external wall of such vault, cellar or room, a clear space of six inches at least, and if the rise of said steps is open, and *provided further*, that over or across any such area there may be steps necessary for access to any building above the vault, cellar or room, to which such area adjoins, if the same be so placed as not to be over, across or opposite to any such external window.
- Proviso.**
- Proviso.**
- Proviso.**
- Board of health may make additional regulations as to cellars, etc.**
- SECT. 18.** The board of health shall have authority to make such other regulations as to cellars, and the ventilation and overcrowding of tenement and lodging houses and buildings where persons are employed, as they deem necessary, subject, however, to the laws relating to building in the city of Boston.
- Name and address of owner and agent to be posted on wall of tenement and lodging houses.**
- SECT. 19.** Every owner and agent, or person having charge, of a tenement or lodging house shall leave his address with the board of health, and shall have legibly posted on the wall or in the entry of such tenement or lodging house the name and address of such owner and of the agent or person having charge of the same; and service upon parties whose address is out of the city, of any papers or notices required by this act, or any act relating to the preservation of health,

or by any proceedings to enforce any of their provisions, shall be sufficient, if made by sending a copy of such paper or notice through the mail to the address of the person or persons so designated as owner, agent or person having charge of such tenement or lodging house ; and service upon parties whose address is in the city, by leaving such copy at said address.

SECT. 20. Every officer of the board of health, and every officer upon whom any duty or authority is conferred, shall have free access to every part of any lodging or tenement house, when required, in the proper execution of the duties of his office. Officers to have free access to such buildings.

SECT. 21. Any court having equity jurisdiction, in term time or vacation, may, on the application of the board of health, by any suitable process or decree in equity, enforce the provisions of this act, and may, on such application, issue an injunction to restrain the use or occupation of any building or structure in the city of Boston, erected, altered or used in violation of this act. Injunctions.

SECT. 22. Any person violating any provision of this act shall be punished by a fine not exceeding one hundred dollars, or by confinement in the house of correction not exceeding sixty days, unless another penalty is specifically provided herein. Penalties.

SECT. 23. Every member of said board of health, and every inspector acting under said board shall, before entering upon the duties of his office take and subscribe an oath before the city clerk of said city that he will faithfully and impartially discharge such duties, and the city clerk shall make and keep a record of such oath. Every member of said board and every such inspector who enters upon or discharges such duties without having taken and subscribed such oath shall be liable to a penalty of one hundred dollars, but such omission shall not render invalid any act or proceeding of said board. Board of health and inspectors to be sworn.

## CHAPTER 348, ACTS OF 1887.

AN ACT IN RELATION TO FENCES AND OTHER STRUCTURES  
ERECTED TO ANNOY, AND FOR THE ABATEMENT OF  
NUISANCES.

SECTION 1. Any fence or other structure in the nature of a fence, unnecessarily exceeding six feet in height, maliciously erected or maintained for the purpose of annoying the owners or occupants of adjoining property, shall be deemed a private nuisance.

SECT. 2. Any such owner or occupant, injured either in his comfort or the enjoyment of his estate by such nuisance, may have an action of tort for the damage sustained thereby, and the provisions of chapter one hundred and eighty of the Public Statutes concerning actions for private nuisances shall be applicable thereto. [*Approved June 2, 1887.*]

## CHAPTER 448, ACTS OF 1887.

AN ACT TO PROVIDE FOR THE REMOVAL OF CERTAIN  
OBSTRUCTIONS IN GAMBLING RESORTS.

Inspector of  
buildings to be  
notified when  
entrance to  
buildings are  
barred by doors,  
etc., of unusual  
strength.

SECTION 1. When any officer empowered to serve criminal process finds that access to any common gaming-house, or any building, apartment or place, which he has reasonable cause to believe is resorted to for the purpose of unlawful gaming, is barred by any obstruction other than what is usual in ordinary places of business, such as a door, window, shutter, screen, bar or grating, of unusual strength, he shall at once notify the inspector of buildings, or other public officer or officers who may have charge of the construction of buildings in his city, or town, of the existence of such obstruction. And said inspector or other officer, or officers, shall inspect such obstruction, and, if deemed by such officer or officers to be unnecessary for the protection of the lawful business done on such premises, or to have been built and used for the purpose of resisting or delaying the rightful entrance of the officers of the law, he or they shall order the



same to be removed by the owner, lessee or person having control of the building in which such obstruction exists; and in case such officer or officers cannot find either of the persons mentioned so as to make personal service, said notice shall be posted upon the outside of said building, and in case of the neglect to remove such obstruction for the space of seven days from the date of said order, or posting of said notice, then the inspector, or other officer, or officers, shall cause such obstruction to be removed from such building, and the expense of such removal shall be a lien on said building, and be collected by the inspector or other officer removing such obstruction in the same way as a mechanic's lien is now collected.

Inspector of  
buildings to  
cause such  
obstructions to  
be removed in  
case of neglect  
or refusal of  
persons notified  
so to do.

SECT. 2. Section ten of chapter ninety-nine of the Public Statutes is hereby amended so as to read as follows:—

*Section 10.* If a person makes oath before a trial justice, or police, district or municipal court, that he suspects or has probable cause to suspect that a house or other building is unlawfully used as and for a common gaming house, for the purpose of gaming for money or other property, and that idle and dissolute persons, or other persons, resort to the same for that purpose, such trial justice or court, whether the names of the persons last mentioned are known to be the complainant or not, shall, in case satisfactory evidence is presented, issue a warrant commanding the sheriff or his deputy, or any constable or police officer to enter into such house or building and there to arrest all persons who are there found playing for money or otherwise, and all persons who are found present at any game or sport there played for money or other thing of value, and also the keepers of the same and all persons present, whether engaged in playing or not, if the implements of gaming are found in said place, and to take into their custody all the implements of gaming as aforesaid, and all the personal property, furniture and fixtures there found, and to keep said persons, implements, property, furniture and fixtures so that they may be forthcoming before some court or magistrate, to be dealt with according to law, and whoever is found so playing or so

present shall forfeit for every such offence a sum not exceeding fifty dollars.

SECT. 3. This act shall take effect upon its passage.  
[*Approved June 16, 1887.*]

## CHAPTER 316, ACTS OF 1888.

### AN ACT TO REGULATE THE ERECTION AND CONSTRUCTION OF CERTAIN BUILDINGS.

Plans of all public buildings, etc., must be deposited in office of inspector of buildings.

SECTION 1. No building designed to be used in whole or in part as a public building, public or private institution, school-house, church, theatre, public hall, place of assemblage or place of public resort, and no building more than two stories in height designed to be used above the second story, in whole or in part, as a factory, workshop or mercantile or other establishment and having accommodations for ten or more employees above said story, and no building more than two stories in height designed to be used above the second story, in whole or in part, as a hotel, family hotel, apartment house, boarding house, lodging house or tenement house and having ten or more rooms above said story, shall hereafter be erected, unless in process of erection at the date of the passage of this act, until a copy of the plans of such building has been deposited with the inspector of factories and public buildings for the district in which such building is to be located, if outside of the city of Boston, or with the inspector of buildings of the city of Boston, if within said city, together with a copy of such portion of the specifications of such building as such inspector may require, nor shall any such building be so erected without the provision of sufficient ways of egress and other means of escape from fire, properly located and constructed; the certificate of the inspector above named indorsed, if the building is to be located outside of the city of Boston, with the approval of the chief of the district police force, shall be conclusive evidence of a compliance with the provisions of this act, provided that after the granting of such certificate no change is made in the plans or specifications of

such ways of egress and means of escape unless a new certificate is obtained therefor. Such inspector may require that proper fire-stops shall be provided in the floors, walls and partitions of such buildings and may make such further requirements as may be necessary or proper to prevent the spread of fire therein or its communication from any steam boiler or heating apparatus; and no pipe for conveying hot air or steam in such building shall be placed nearer than one inch to any wood work unless protected to the satisfaction of such inspector by suitable guards or casings of incombustible material, and no wooden flue or air duct for heating or ventilating purposes shall be placed in any such building.

SECT. 2. Any person erecting or constructing a building <sup>Penalties.</sup> in violation of the provisions of this act shall be punished by fine of not less than fifty nor more than one thousand dollars, and such erection or construction may be enjoined in a proceeding to be had before the superior or supreme judicial court at the instance of the inspector above named, and upon the filing of a petition for such injunction any justice of the court in which such proceeding is pending may issue a temporary injunction or restraining order, as provided in pro- <sup>Injunction.</sup> ceedings in equity.

SECT. 3. This act shall take effect on the first day of October in the year one thousand eight hundred and eighty-eight. [*Approved May 9, 1888.*]

## CHAPTER 426, ACTS OF 1888.

### AN ACT IN RELATION TO WAYS OF EGRESS AND MEANS OF ESCAPE FROM FIRE IN CERTAIN BUILDINGS.

SECTION 1. Every building now or hereafter used, in whole or in part, as a public building, public or private institution, school house, church, theatre, public hall, place of assemblage or place of public resort, and every building in which ten or more persons are employed above the second story in a factory, workshop or mercantile or other establishment, and every hotel, family hotel, apartment house, board-



ing house, lodging house or tenement house in which ten or more persons lodge or reside above the second story, and every factory, workshop, mercantile or other establishment the owner, lessee, or occupant of which is notified in writing by the inspector hereinafter mentioned that the provisions of this act are deemed by him applicable thereto, shall be provided with proper ways of egress, or other means of escape from fire, sufficient for the use of all persons accommodated, assembling, employed, lodging or residing in such building; and such ways of egress and means of escape shall be kept free from obstruction, in good repair and ready for use. Every room above the second story in any such building in which ten or more persons are employed shall be provided, if the inspector mentioned in the following section shall so direct in writing, with more than one way of egress by stairways on the inside or outside of the building, placed as near as practicable at opposite ends of such room; stairways on the outside of the building shall have suitable railed landings at each story above the first, and shall connect with each story by doors or windows; and such landings, doors and windows shall be kept clear of ice and snow and other obstructions.

Where women or children are employed, there must be more than one way of egress.

Women or children shall not be employed in a factory, workshop or mercantile or other establishment, in a room above the second story from which there is only one way of egress, if the inspector mentioned in the following section shall so direct in writing. All doors and windows in any building subject to the provisions of this section shall open outwardly if the inspector mentioned in the following section shall so direct in writing. No portable seats shall be allowed in the aisles or passageway of such building during any service or entertainment held therein. The proscenium or curtain opening of all theatres shall have a fire resisting curtain of some incombustible material, and such curtain shall be properly constructed and shall be operated by proper mechanism; the certificate of the inspector mentioned in the following section shall be conclusive evidence of a compliance with such requirements.

SECT. 2. It shall be the duty of such inspectors of fac-

tories and public buildings, as may be assigned to such duty by the chief of the district police force, to examine, as soon as may be after the passage of this act, and thereafter from time to time, all buildings within his district subject to the provisions of this act, and it shall be the duty of the inspector of buildings of the city of Boston so to examine all such buildings within said city. In case any such building conforms in the judgment of such inspector, to the requirements of this act, he shall issue to the owner, lessee or occupant of such building, or of any portion thereof used as above mentioned in section one, a certificate to that effect, specifying the number of persons for whom the ways of egress or means of escape from fire are deemed to be sufficient. Such certificate shall be conclusive evidence, as long as it continues in force, of a compliance on the part of the person to whom it is issued with the provisions of this act. But such certificate shall be of no effect in case a greater number of persons than therein specified are accommodated or employed, or assemble, lodge or reside within such building or portion thereof, or in case such building is used for any purposes materially different from those for which it was used at the time of the granting thereof, or in case the internal arrangements of such building are materially altered, or in case any ways of egress or means of escape from fire existing in such building at the time of such granting are stopped up, rendered unavailable or materially changed; and in no case shall such certificate continue in force for more than five years from its date. Such certificate may be revoked by such inspector at any time upon written notice to the person holding the same, or occupying the premises for which it was granted, and shall be so revoked whenever, in his opinion, any conditions or circumstances have so changed that the existing ways of egress and means of escape are no longer proper and sufficient. A copy of the said certificate shall be kept posted in a conspicuous place upon every floor of such building by the person occupying the premises covered thereby.

When any building conforms to this act, the inspector shall issue a certificate to that effect.

When such certificate may be revoked.

A copy of said certificate to be posted on each floor of such buildings.

SECT. 3. Upon an application being made to an inspector or the granting of a certificate under this act, he shall issue

Acknowledgments of applications for such certificates.

to the person making the same an acknowledgment that such certificate has been applied for, and pending the granting or refusal of such certificate such acknowledgment shall have for a period of ninety days the same effect as such certificate, and such acknowledgment may be renewed by such inspector with the same effect for a further period not exceeding ninety days, and may be further renewed by the chief of the district police force, until such time as such certificate shall be granted or refused.

Notice of changes in a building for which a certificate has been issued must be given to inspector of buildings.

SECT. 4. In case any change is made in any premises for which a certificate has been issued under this act, whether in the use thereof or otherwise, such as terminates the effect of such certificate, as above provided in section two, it shall be the duty of the person making the same to give written notice thereof forthwith to the inspector for the district, or to the chief of the district police, if such premises are outside of the city of Boston, or to the inspector of buildings of the city of Boston, if within said city.

Inspector to notify owners, etc., of changes necessary to conform to this act.

SECT. 5. In case any building or portion thereof subject to the provisions of this act is found by an inspector to fail to conform thereto, or in case any change is made in such building or portion thereof such as terminates the effect of a certificate formerly granted therefor as aforesaid, it shall be the duty of such inspector to give notice in writing to the owner, lessee or occupant of such building, specifying and describing what additional ways of egress or means of escape from fire are necessary in the opinion of such inspector in order to conform to the provisions of this act and to secure the granting of a certificate as aforesaid. Notice to any agent of such owner, lessee or occupant in charge of the premises shall be sufficient notice under this section to such owner, lessee or occupant.

When owned or occupied jointly, any of said owners or occupants may put on fire escapes, etc.

SECT. 6. In case any building subject to the provisions of this act is owned, leased or occupied, jointly or in severalty, by different persons, any one of such persons shall have the right to apply to any part of the outside of such building, and to sustain from any part of the outside wall thereof, any way of egress or means of escape from fire



specified and described by an inspector as above provided, notwithstanding the objection of any other such owner, lessee or occupant; and any such way of egress or means of escape may project over the highway.

SECT. 7. When a license is required by law or municipal ordinance, in order to authorize any premises to be used for any purpose mentioned in section one, no license for such purpose shall be granted until a certificate for such building or portion thereof shall first have been obtained from an inspector as above provided, and no such license hereafter issued shall continue in force any longer than such certificate remains in force.

Licenses to occupy buildings not to be granted until certificates have been issued by inspector.

SECT. 8. No wooden flue or air duct for heating or ventilating purposes shall hereafter be placed in any building subject to the provisions of section one of this act, and no pipe for conveying hot air or steam in such building shall be placed, or shall remain placed, nearer than one inch to any wood-work unless protected to the satisfaction of the said inspector by suitable guards or casings of incombustible material.

Wooden flues or air ducts not allowed.

SECT. 9. Every story above the second of a building subject to the provisions of section one shall be supplied with means of extinguishing fire, consisting either of pails of water or other portable apparatus, or of hose attached to a suitable water supply and capable of reaching any part of such story; and such means of extinguishing fire shall be kept at all times ready for use and in good condition.

Means of extinguishing fire to be provided.

SECT. 10. It shall be the duty of such members of the inspection department of the district police force as may be assigned to such duty by the chief of such force to enforce the provisions of this act outside of the city of Boston, and of the inspector of buildings of the city of Boston to enforce the same within said city, and for such purpose such inspectors shall have the right of access to all parts of any buildings subject to the provisions of this act.

Inspector to enforce this act in city of Boston.

SECT. 11. Cities may by ordinance provide that the provisions of this act shall apply to any buildings three or more stories in height within their respective limits.

Owners, lessees  
or occupants  
must carry out  
provisions of  
this act.

Penalty for  
neglecting so to  
do.

Injunction.

Repeals.

SECT. 12. It shall be the duty of every owner, lessee or occupant of any building or part thereof subject to this act to cause the provisions thereof to be carried out, and any owner, lessee or occupant failing to observe such provisions shall be subject to a fine of not less than fifty nor more than one thousand dollars; but no prosecution therefor shall be brought until four weeks after written notice from an inspector, as above provided, of the changes necessary to be made in order to conform thereto, nor then if in the meantime such changes have been made in accordance with such notification. Notice to one member of a firm, or to the clerk or treasurer of a corporation, or to the person in charge of the premises, shall be deemed a sufficient notice hereunder, and such notice may be given in person or by mail. Any such owner, lessee or occupant shall be liable for all damages caused by his violation of the provisions of this act. Any person using or occupying a building contrary to the provisions of this act may be enjoined from such use or occupation in a proceeding to be had before the superior court or supreme judicial court at the instance of the inspector, and upon the filing of a petition therefor any judge or justice of the court in which such proceeding is pending may issue a temporary injunction or restraining order, as provided in proceedings in equity.

SECT. 13. The governor of the Commonwealth is hereby authorized to appoint from time to time, as may be necessary, not exceeding ten additional members of the inspection department of the district police force, qualified to perform the duties of the members of such department.

SECT. 14. Sections fifteen to twenty inclusive of chapter one hundred and four of the Public Statutes, section two of chapter two hundred and fifty-one of the acts of the year eighteen hundred and eighty-three, chapter three hundred and twenty-six of the acts of the year eighteen hundred and eighty-five, chapter two hundred and seven of the acts of the year eighteen hundred and eighty-eight, and all acts and parts of acts inconsistent herewith, are hereby repealed.

SECT. 15. This act shall take effect on the first day of July in the year one thousand eight hundred and eighty-eight. [Approved May 29, 1888.]

## CHAPTER 11, SECTION 92, PUBLIC STATUTES.

The assessors shall, in each year, on or before the first Monday in August, return to the tax-commissioner a statement showing the whole number of steam-boilers located in their respective cities and towns on the first day of May then next preceding, by whom and when built, and the aggregate estimated amount of horse-power which such boilers are capable of furnishing. Such returns shall also state the number of accidents causing permanent injuries to persons which have arisen from the use of such boilers during the year, with the causes thereof, as far as may be ascertained by the assessors.

### NOTE.

See Sec. 5, Chap. 232, Acts of 1882.

“ “ 6, “ 374, “ “ 1885.

## CHAPTER 102, PUBLIC STATUTES.

### STEAM-ENGINES, FURNACES, AND BOILERS.

SECTION 40. No furnace for melting iron or making glass, and no stationary steam-engine designed for use in a mill for planing or sawing boards or turning wood, or in which any other fuel than coal is used to create steam, shall be erected or put up to be used in a city or town which adopts this and the eight following sections, or has adopted the corresponding sections of earlier statutes, at a legal meeting of the city council of the city, or the inhabitants of the town called for that purpose, unless the mayor and aldermen or selectmen thereof have granted a license therefor, prescribing the place where the building shall be erected in which the steam-engine or furnace is to be used, and the materials and construction thereof, with such regulations as to the height of flues and protection against fire as they deem necessary for the safety of the neighborhood. Such license may be granted on a written application, and shall be recorded in the records of the city or town.

Steam-engines,  
etc., not to be  
used, etc., with-  
out license.  
G.S. 88, § 33.  
1 Allen, 137.

SECT. 41. Upon application for such license the mayor



Public notice of  
hearing.  
G.S. 88, § 34.

and aldermen or selectmen shall assign a time and place for the consideration of the same, and cause at least fourteen days' public notice thereof to be given, at the expense of the applicant, in such manner as they may direct, in order that all persons interested may be heard thereon.

Municipal  
officers may  
regulate steam-  
engines, etc.  
G.S. 88, § 35.

SECT. 42. In a city or town which adopts sections forty to forty-eight, inclusive, or has adopted the corresponding sections of earlier statutes, at a legal meeting of the city council of the city or the inhabitants of the town called for that purpose, the mayor and aldermen or selectmen, after due notice in writing to the owner of such steam-engine or furnace, except for making glass, erected or in use therein before the time of such adoption, and a hearing of the matter, may adjudge the same to be dangerous or a nuisance to the neighborhood, and make and record an order prescribing such rules, restrictions and alterations as to the building in which the same is constructed or used, the construction and height of its smoke-flues, with such other regulations as they may deem necessary for the safety of the neighborhood; and the city or town clerk shall deliver a copy of such order to a constable, who shall serve on the owner an attested copy thereof, and make return of his doings thereon to said clerk within three days from the delivery thereof to him.

Appeals and  
proceedings  
thereon.  
G.S. 88, § 36.  
1873, 261-117.  
Mass. 76-119.  
Mass. 495-126.  
Mass. 287-128.  
Mass. 36-347.

SECT. 43. An owner of a steam-engine or furnace who is aggrieved by such order may, within three days after the service upon him of such order, apply to the superior court, or a justice thereof, in vacation, for a jury; and the court or justice shall issue a warrant for a jury to be empanelled by the sheriff within fourteen days from the issuing of the warrant, in like manner as is provided in chapter forty-nine in regard to the laying out of highways; or, instead thereof, if the applicant so elects, and after such notice as the court or justice shall order to the adverse party or parties, shall direct a trial to be had at the bar of the superior court, in the same manner as other civil cases are there tried by jury.

Injunction  
pending appeal.  
G.S. 88, § 37.

SECT. 44. The court or justice, on granting the application for a jury, may issue an injunction restraining the further use of such engine or furnace until the final determination of the application.

SECT. 45. The jury may find a verdict either affirming or annulling the order in full, or making alterations therein; which verdict shall be returned by the sheriff, if the trial is had before him, to the next term of the court for acceptance, as in the case of highways; and the verdict, whether before the sheriff or in the superior court, when accepted, shall take effect as an original order.

SECT. 46. If the order is affirmed, costs shall be recovered by the city or town against the applicant; if it is annulled, damages and costs shall be recovered by the applicant against the city or town; and if it is altered, the court may render such judgment as to costs as to justice shall appertain.

SECT. 47. No stationary engine, propelled by steam or other motive power, shall be hereafter erected or put up for use in a city or town in which this section, or chapter seventy-four of the statutes of the year eighteen hundred and sixty-two, has been adopted in the manner provided in section forty of this chapter, within five hundred feet of a dwelling-house or public building, unless a license therefor has been first granted and recorded in a manner herein provided.

SECT. 48. A steam-engine or furnace erected or used contrary to the provisions of the eight preceding sections shall be deemed a common nuisance; and the mayor and aldermen or selectmen may remove the same in the same manner as boards of health may remove nuisances under sections twenty-one, twenty-two, and twenty-three of chapter eighty.

SECT. 49. The fire commissioners of the city of Boston, the mayor and aldermen of any other city, or the selectmen of a town, or any person by them authorized, may, after notice to the parties interested, examine any steam-engine or steam-boiler therein, whether fixed or portable; and for that purpose may enter any house, shop or building; and if upon examination it appears probable that the use of such engine or boiler is unsafe, they may issue a temporary order to suspend such use; and if, after giving to parties interested, so far as known, an opportunity to be heard, they adjudge such engine or boiler unsafe or defective or unfit to be used, they may pass a permanent order prohibiting the use thereof until it is ren-

G.S. 88, § 37.

Verdict of jury.  
G.S. 88, § 38.Stationary en-  
gines forbidden,  
when, etc.  
1862-74, §§ 1-3.Steam-engines,  
when nuisances  
G.S. 88, § 40.  
1862-74, § 2.May be ex-  
amined and use  
forbidden.  
G.S. 88, § 41.  
1880, 116.

dered safe. If, after notice to the owner or person having charge thereof, such engine or boiler is used contrary to either of such orders, it shall be deemed a common nuisance, without any other proof thereof than its use.

May be removed  
as nuisances.  
G.S. 88, § 42.

SECT. 50. The fire commissioners, mayor and aldermen, and selectmen, may abate or remove a steam-engine or steam-boiler erected or used contrary to the provisions of the preceding section in the same manner as boards of health may remove nuisances under sections twenty-one, twenty-two, and twenty-three of chapter eighty.

Steam-boilers to  
have safety-  
plugs.  
G.S. 88, § 43.

SECT. 51. No person shall manufacture, set up, use or cause to be used, a steam-boiler, unless it is provided with a fusible safety-plug made of lead, or some other equally fusible material, and of a diameter of not less than one half an inch, placed in the roof of the fire-box, when a fire-box is used, and in all cases in a part of the boiler fully exposed to the action of the fire, and as near the top of the water line as any part of the fire surface of the boiler; and for this purpose Ashcroft's "protected safety fusible plug" may be used.

Penalty  
for removing  
safety-plugs.  
G.S. 80, § 44.

SECT. 52. Whoever, without just and proper cause, removes from a boiler the safety-plug thereof, or substitutes therefor any material more capable of resisting the action of the fire than the plug so removed, shall be punished by fine not exceeding one thousand dollars.

Penalty for  
making boilers  
without safety-  
plugs.  
G.S. 88, § 45.

SECT. 53. Whoever manufactures, sets up or knowingly uses or causes to be used for six consecutive days, a steam-boiler unprovided with a safety fusible plug, as described in section fifty-one, shall be punished by fine not exceeding one thousand dollars.



# REVISED ORDINANCES OF 1885.

## CHAPTER 48.

### OF THE REGULATION OF BUILDING.

SECTION 1. The limits within which all buildings hereafter Building limits. erected shall be required to conform to the provisions of chapter three hundred and seventy-four of the statutes of the commonwealth of the year eighteen hundred and eighty-five, and of the acts in amendment thereof and in addition thereto, are hereby established and defined as follows: All that portion of the city which is included within a line beginning at the intersection of the centre lines of Dover and Albany streets, and thence running east through the centre of said Dover street to the harbor commissioners' line; thence by the said harbor commissioners' line around the northerly portion of the "city proper" to a point on Charles river at the intersection of said line with the boundary line between Brookline and Boston; thence along said boundary line to the centre of Longwood avenue; thence through the centre of said avenue to the centre of Bumstead lane; thence through the centre of said lane to the centre of Ward street; thence through the centre of said Ward Street to the centre of Parker street; thence through the centre of said Parker street to the centre of Ruggles street; thence through the centre of said Ruggles street to the centre of Washington street; thence through the centre of said Washington street to a point opposite the centre of Palmer street; thence through the centre of said Palmer street and through the centre of Eustis street to the centre of Hampden street; and thence through the centre of said Hampden street and the centre of Albany street to the point of beginning; the said district being shown on a plan made by the city surveyor, dated June 28, 1881, and deposited in his office.

SECT. 2. Outside the limits defined in the preceding section wooden buildings may be erected, subject to the following restrictions and regulations: —

Distance from  
line of lot.

A wooden building, to be used as a dwelling house, shall not exceed a height of forty-five feet, and the external side-walls of said building shall not be placed at a less distance than one foot and six inches from the line of the lot upon which the building is to be located, unless a brick external wall is substituted for wooden wall, and of a thickness prescribed by statute law regulating the erection of brick external walls. The brick walls above required shall be built up to the under side of the roof-covering, which shall be laid and embedded in mortar upon the walls.

Distance be-  
tween dwelling  
houses.

Where a wooden building is already erected for dwelling purposes upon an adjoining lot, there shall be between the walls of the building erected and the one to be erected, if of wood, a clear open space of three feet between the said buildings.

Ells to dwelling  
houses.

Wooden ells may be erected in connection with wooden buildings used for dwelling purposes, but the ell shall not exceed thirty feet in length, fifteen feet in width, nor be of a greater height than twenty-five feet, or of any other dimension not in excess of the superficial area of four hundred and fifty square feet. Such ells may be built without the intervention of a brick wall between said ell and the main building.

Party walls in  
blocks of two or  
more.

In the erection of wooden buildings in blocks of two or more houses, to be occupied for dwelling purposes, the said buildings shall have intercepting brick walls not less than eight inches thick; said brick walls to be carried up and topped out twelve inches above the roof, and covered with metallic covering; or they may, in the discretion of the inspector of buildings, be carried to the under side of the roof covering, which shall be laid and imbedded in mortar upon the walls.

See Plate A.  
Height and  
range of wooden  
buildings other  
than dwellings.

Wooden buildings to be used for other purposes than that of a dwelling house shall not exceed a height of fifty-five feet from the grade of the street, court, or place upon which the said building is to be erected; and, if in a range of more than fifty feet, there shall be constructed an intercepting brick wall, not less than twelve inches thick and carried up to a height of twelve inches above the roof, and the said wall to be covered with metallic covering.

A wooden building to be used for any purpose other than that of a dwelling house shall not be erected or placed at a less distance than ten feet from any other wooden building which is twenty-five feet or more in height, or at a less distance than four feet from any other wooden building which is less than twenty-five feet in height.

Distance between other than dwellings.

In no case shall the sills of any building referred to in this section be laid below the grade of the street, unless by special permit of the inspector of buildings.

Sills, how laid.

SECT. 3. The restrictions contained in the preceding section shall not apply to buildings erected or placed at a distance of fifty feet or more from any other building, and from any street, open or intended to be open for public passage, whether accepted by the city or not.

Exemptions.

SECT. 4. All wooden buildings shall be built upon secure foundations of stone or brick, carried up to the surface of the ground. The foundation, if of brick, shall not be less than twelve inches thick, and laid in cement mortar; if of rubblestone, it shall not be less than sixteen inches thick, when laid in cement mortar, and not less than twenty inches thick, when laid dry; if of blockstone, it shall be not less than sixteen inches thick and laid in cement mortar. All foundations shall be laid upon solid ground not less than four feet below the surface which is exposed to frost, or upon piles or other solid substructure. Piles shall be driven to a firm and solid bearing, and the tops of all piles shall be cut off at or below a grade to be prescribed by the inspector of buildings. There shall be at least one row of piles, spaced not over three feet on centres, in the direction of the length of the wall. Piles shall be capped with footing-courses of stone. In the construction of workshops or other buildings of a like character or for temporary purposes, built upon soft or marshy land, the inspector may, in his discretion, permit the sills to be placed upon mud-sills or blocking, or upon piles cut to height of grade.

Foundations for wooden buildings.  
See Plate B.

SECT. 5. All wooden buildings shall be built with posts, girts and plates, properly mortised, tenoned, braced and pinned in each story, and supported by suitable studding,

Framing, etc.,  
size of posts,  
girts, etc.  
See Plate C.



the studs to be not more than thirty-two inches apart, the posts and girts to be not less than four by eight inches or equivalent thereto, except that the foregoing dimensions for posts and girts shall not apply to buildings not exceeding four hundred feet in area, and less than fifteen feet in height.

Terms.

SECT. 6. No wooden building now erected, or hereafter to be erected, shall be altered, raised, roofed, enlarged, or otherwise built upon, in any manner contrary to the terms of the five preceding sections.

Permits  
required.

SECT. 7. No wooden building shall hereafter be erected without a permit being first obtained from the inspector of buildings; and no alteration of or addition to any such building shall be made without such permit.

Penalties.

SECT. 8. Whoever violates any of the provisions of the seven preceding sections, and neglects for twenty-four hours, after written notice from the inspector of buildings, served upon him personally, or posted conspicuously upon the building erected or in process of erection, alteration or repair in violation of said provisions, to alter said building in conformity with the provisions of this chapter, shall be liable to a penalty of not less than twenty nor more than fifty dollars, and to a like penalty for every day's continuance of such violation.

Fifteen days'  
notice to be  
given  
inspector of  
proposed build-  
ing or alteration.

SECT. 9. Whoever intends to erect or to make alterations in a building of any description, within ten feet of a public street of the city, shall, fifteen days at least before he proceeds to build or erect the same, or to lay the foundation thereof, or to make the said alterations, or to do any act for carrying into execution his intention to do such things, give to the inspector of buildings, notice in writing of his intention, with the dimensions of the structure proposed, the materials to be used, the number on the street or the precise location, and the name of the owner or owners of the land, in order that any encroachment or other injury or inconvenience to the public streets which might otherwise happen, may be thereby prevented; and in default thereof the city shall be discharged from all damages, of any nature whatsoever, resulting from the failure to give notice as above pro-

vided, particularly from all such damages or expenses as have been enhanced or occasioned by reason of anything done previously to or without such notice.

SECT. 10. The number of assistant inspectors of buildings provided for in section three of chapter three hundred and seventy-four of the statutes of the commonwealth of the year eighteen hundred and eighty-five shall be twenty. Number of  
assistant  
inspectors.

SECT. 11. During the recess of the Common Council in the months of July and August in each year, a Joint Standing Committee of the City Council, thereunto authorized, may allow the erection of wooden buildings and wooden additions of a range or size greater than allowed by the "Revised Ordinances of 1885," upon such terms and conditions as said committee may deem expedient.

#### NOTES.

Section 1 of Chapter 48 is authorized by Statute 1885, Chapter 374, Section 21.

Sections 2 to 8, inclusive, of this chapter are authorized by Statute 1875, Chapter 374, Section 20.

As to the validity of such ordinances as are contained in this chapter, see *Salem vs. Maynes*, 123 Mass., 372.

The principal act in force regulating the inspection and construction of buildings in the city of Boston is Statute 1885, Chapter 374.

By this statute the following statutes relating to the same subject were repealed:—

Statute 1871, Chapter 280.

" 1872, " 371.

" 1873, " 298.

" 1876, " 69.

" 1882, " 101.

Statute 1872, Chapter 260.

" 1872, " 377.

" 1873, " 338.

" 1876, " 176.

" 1882, " 252.

Sections 3, 4, and 7.

It was intimated by Chief Justice Gray, in *Quinn vs. Morse*, 130 Mass., 317, 321, that the provisions of the old provincial Statute 1692, Chapter 13, relative to the building of party walls in Boston, had never been repealed and were still in force, but it has been since decided in *Wilkinson vs. Jewett*, 139 Mass., 29, that those provisions have never been in force in the Commonwealth.

## CHAPTER 49, REVISED ORDINANCES OF 1885.

## OF THE REGULATION OF PLUMBING.

Plumbers  
required to  
register.

SECTION 1. No person shall carry on the business of plumbing unless he shall have first registered his name and place of business in the office of the inspector of buildings; and notice of any change in the place of business of a registered plumber shall be immediately given to said inspector.

Notices to be  
filed and  
plumbing  
approved.

SECT. 2. Every plumber, before doing any work in a building, shall, except in the case of the repair of leaks, file at the office of the said inspector, upon blanks to be provided for the purpose, a notice of the work to be performed; and no such work shall be done in any building without the approval of said inspector.

Buildings to be  
separately  
connected with  
sewer.

SECT. 3. Every building shall be separately and independently connected with the public sewer, when such sewer is provided; and, if such sewer is not provided, with a cess-pool of such material and capacity as shall be approved by the said inspector.

Drains and  
soil-pipes.

SECT. 4. Drains and soil-pipes through which water and sewage is used and carried shall be of iron, when within a building, and for a distance of not less than five feet outside of the foundation walls thereof. They shall be sound, free from holes and other defects, of a uniform thickness of not less than one-eighth of an inch for a diameter of four inches or less, or five thirty-seconds of an inch for a diameter of five or six inches, with a proportional increase of thickness for a greater diameter. They shall be securely ironed to walls, laid in trenches to uniform grade, or suspended to floor-timbers by strong iron hangers, as the said inspector may direct. They shall be supplied with a suitable trap, placed, with an accessible clean-out, either outside or inside the foundation wall of the building. They shall have a proper fall towards the drain or sewer, and soil-pipes shall be carried out through the roof, open and undiminished in size, to such height as may be directed by the said inspector; but no soil-pipe shall be carried to a height less than two



feet above the roof. Changes in direction shall be made with curved pipes, and connections with horizontal pipes shall be made with Y branches.

SECT. 5. Rain-water leaders, when connected with soil or Rain-water leaders. drain pipes, shall be suitably trapped.

SECT. 6. Sewer, soil-pipe or waste-pipe ventilators shall Ventilators. not be constructed of brick, sheet-metal or earthen-ware, and chimney-flues shall not be used as such ventilators.

SECT. 7. Iron pipes before being put in place shall be Iron pipes. first tested by the water or kerosene test, and then coated inside and out with coal-tar pitch, applied hot, or with paint, or with some equivalent substance. Joints shall be run with molten lead, and thoroughly calked and made tight. Connection of lead pipes with iron pipes shall be made with brass ferrules, properly soldered and calked to the iron.

SECT. 8. Every sink, basin, bath-tub, water-closet, slop- Traps and special air-pipes. hopper, and each set of trays, and every fixture having a waste-pipe, shall be furnished with a trap, which shall be placed as near as practicable to the fixture that it serves. Traps shall be protected from siphonage or air-pressure by special air-pipes of a size not less than the waste-pipe; but air-pipes for water-closet traps shall be of not less than two-inch bore for thirty feet or less, and of not less than three-inch bore for more than thirty feet. Air-pipes shall be run as direct as practicable, and shall be of not less than four-inch bore where they pass through the roof. Two or more air-pipes may be connected together or with a soil-pipe; but in every case of connection with a soil-pipe such connection shall be above the upper fixture of the building.

SECT. 9. Drip or overflow pipes from safes under water- Drip or overflow pipes. closets and other fixtures, or from tanks or cisterns, shall be run to some place in open sight, and in no case shall any such pipe be connected directly with a drain, waste-pipe or soil-pipe.

SECT. 10. Waste-pipes from refrigerators, or other re- Waste-pipes. ceptacles in which provisions are stored, shall not be connected with a drain, soil-pipe, or other waste-pipe, unless such waste-pipes are provided with traps, suitably ventilated,

and in every case there shall be an open tray between the trap and refrigerator.

Water-closet  
tanks.

SECT. 11. Every water-closet, or line of water-closets, on the same floor, shall be supplied with water from a tank or cistern, and the flushing-pipe shall not be less than one inch in diameter; but this requirement shall not apply to water-closets substituted for vaults, where the same are located outside of the building proper, and water-closets may be arranged so as to receive their supply directly from the main, with such fixtures as shall be approved by the inspector of buildings, and by the water board and the board of health.

Pipes and  
fixtures not to  
be concealed.

SECT. 12. Pipes and other fixtures shall not be covered or concealed from view until after the work has been examined by the said inspector, and he shall be notified by the plumber when the work is sufficiently advanced for inspection.

Plumbing to be  
tested.

SECT. 13. Plumbing work shall not be used unless the same has first been tested by the said inspector with the peppermint, ether, or water test, and by him found satisfactory.

Steam-exhausts.

SECT. 14. No steam-exhaust shall be connected with any soil or waste pipe, or drain which communicates with a public sewer.

Water-pipes,  
how packed.

SECT. 15. Water-pipes in places exposed to frost shall be packed with mineral wool, or other substance equally good, and they shall be cased to the satisfaction of the said inspector.

Grease-traps.

SECT. 16. A grease-trap shall be constructed under the sink of every hotel, eating-house, restaurant, or other public cooking establishments.

SECT. 17. The provisions of sections three to thirteen inclusive, and of section fifteen, of this chapter, shall apply only to buildings erected, or to work performed, after the seventeenth day of March in the year eighteen hundred and eighty-three.

#### NOTE.

Chapter 49 of the regulation of plumbing is authorized by Chapter 252, Section 2, of the Acts of 1882.

## CHAPTER 1, REVISED ORDINANCES OF 1885.

SECTION 5. Whoever violates a provision of any ordinance of the city, whether included in these Revised Ordinances or hereafter enacted, shall, unless other provision is expressly made, be liable to a penalty of not less than two nor more than fifty dollars for each offence. Penalties.

SECT. 6. When anything is prohibited in an ordinance, not only the persons actually doing the prohibited thing, but also the employers and all other persons concerned therein, shall be liable to the penalty prescribed. Person liable.

SECT. 7. When in an ordinance anything is prohibited from being done without the license or permission of a certain officer or officers, such officer or officers shall have the power to license or permit such thing to be done. Definition of streets.

SECT. 8. The words "street" and "streets," when used in an ordinance, shall be construed as including alleys, lanes, courts, public squares, public places, and sidewalks, unless such construction would be inconsistent with the manifest intent of the ordinance.

## CHAPTER 23, REVISED ORDINANCES OF 1885.

### VAULTS AND DRAINS.

SECTION 19. The owner, agent, occupant or other person having the care of a building used as a dwelling, tenement or lodging house, or where persons are employed, shall furnish the same with one or more suitable water-closets, or where such building is located on a street in which there is no public sewer, with a suitable privy, the vault of which shall be built in a manner hereinafter prescribed, and shall be of a capacity proportionate to the number of inhabitants of such building or of those having occasion to use such privy. Every such building situated on a street in which there is a sewer shall have water-closets, and shall not have a cesspool or privy connected with it, except where, in the opinion of the board of health, it can be allowed to re- Water-closets must be provided and must be connected with public sewer, etc.



main for a longer time, and then only as said board shall approve. And whoever neglects to comply with the provisions of this section shall be liable to a penalty of not less than five nor more than one hundred dollars, or by confinement in the House of Correction not exceeding sixty days.

Vaults, how  
constructed.

SECT. 20. Every privy vault shall be made of brick and cement, and shall be of a capacity of at least eighty cubic feet, and the inside thereof shall be at least two feet distant from the line of any adjoining lot, unless by the consent of the owner of such lot, and at the same distance from any street or public or private passage-way; and every vault shall be so constructed as to be conveniently approached, opened and cleaned, and shall be made tight, so that the contents thereof cannot escape therefrom.

All sewage  
matter to be  
drained to com-  
mon sewer.

SECT. 21. All waste-water and all matter discharged from water-closets shall be conveyed through sufficient drains, under ground, to a common sewer, or to such reservoir, sunk under ground, as may be approved by the inspector of buildings; and no person shall suffer waste or stagnant water to remain in a cellar or upon a lot or vacant ground owned or occupied by him.

## CHAPTER 28, REVISED ORDINANCES OF 1885.

### USE AND OCCUPATION OF STREETS.

Laws, etc., re-  
lating to use of  
streets for build-  
ing purpose to  
be enforced by  
inspector of  
building.

SECTION 3. The inspector of buildings shall see that all statutes, ordinances, orders and regulations, respecting the use or occupation of portions of streets for the purpose of erecting, altering, repairing or removing buildings, are observed and enforced.

Permits for  
use of streets for  
building pur-  
pose.

SECT. 7. Whoever desires to occupy or use a portion of a street for the erection or repair of a building upon land abutting thereon shall make application to the inspector of buildings, who, subject to the consent of the superintendent of streets, may grant permits for the occupation or use, for building purposes, of such portions of streets, and for such periods of time, and under such limitations and restrictions,

as may be required by ordinance or by the public convenience; and any such permit may be revoked by the said inspector at any time when the holder thereof fails to comply with any rule or regulation under which it was granted, or when, in the opinion of the said inspector, the public good requires such revocation. No part of a street other than that so allotted shall be used for depositing materials for work to be done or for receiving rubbish arising from such work, and all such rubbish shall be carried away, by the person or persons to whom the permit is granted, at such convenient times as the said superintendent of streets or the said inspector may direct; and, in case of the neglect or refusal of such person or persons so to remove such rubbish, it shall be removed at their expense by the superintendent of streets.

SECT. 8. When a permit is granted under the preceding section the portion of a street thereby allotted shall be enclosed with a sufficient fence, which shall be maintained during the whole time for which the occupation of such portion of the street continues, and a lighted lantern or lanterns, or some other proper and sufficient lights, shall be fixed to some part or parts of such fence, or in some other proper manner, and such lanterns or lights shall be kept lighted from the beginning of twilight through the whole of every night during such occupation; and the person to whom such permit is granted shall also be required to erect and maintain, during his said occupancy of the public street, a way for the use of foot-passengers, at such time and in such manner as the said inspector shall direct.

Fence and lights to be put up when streets are so used.

SECT. 9. Whoever maliciously or wantonly, and without legal cause, extinguishes or diminishes a light fixed in accordance with the provisions of section six or of section eight shall be liable to a penalty of not less than ten nor more than fifty dollars.

Penalty for extinguishing such light.

SECT. 10. Whoever violates any of the provisions of section seven or section eight shall be liable to a penalty of not less than two nor more than fifty dollars for each offence, and to a like penalty for every day's continuance of such offence.

Penalties for violating sections 7 and 8.

Cellar doorway  
not to project  
into street.

SECT. 11. No person shall, without a license from the board of aldermen, construct or maintain a cellar-door or cellar-doorway in a sidewalk, or projecting into a street, or construct an entrance or flight of steps descending immediately from a street into a cellar or into the basement story of a building for the purpose of being kept open as an entrance, and all such cellar-doors, door-ways, and steps as may be licensed by said board shall be constructed in such manner as said board may direct.

Safe passage for  
public travel to  
be maintained.

SECT. 18. Whoever is duly licensed or permitted to occupy a part of a street, or while erecting, repairing a building, or making an excavation, or for any other purpose, shall provide a safe and convenient passage for public travel around or over the obstruction so caused, and shall be responsible to the city for all injuries sustained in consequence of his neglect so to do, and shall be liable to a penalty of not less than two nor more than fifty dollars for each day's continuance of such neglect; and he shall at any time, when requested by the superintendent of streets, or by a police officer, exhibit his license or permit for such occupation.

Penalty for  
neglecting so to  
do.

Projections into  
streets not  
allowed.

SECT. 19. Whoever constructs or places, or causes to be constructed or placed, a portico, porch, door, window or step projecting into a street, except in accordance with the provisions of the statutes of the commonwealth, shall be liable to a penalty of not less than four nor more than fifty dollars for each offence, and to a like penalty for each day that such portico, porch, door, window or step is continued as aforesaid, after notice to remove the same, given by the board of aldermen, or by some person authorized by said board to give such notice.

Penalty.

Obstruction of  
streets not  
allowed.

SECT. 33. Whoever, without permission of the board of aldermen, obstructs a street by placing a building therein, or moves a building through or upon a street, and whoever aids and assists in so obstructing a street or moving a building, shall be liable to a penalty of not less than ten nor more than fifty dollars, and to a like penalty for every twelve hours that such obstruction may continue, or that such building may remain in or upon a street.

Penalty.



ADDITIONAL REGULATIONS.

1. The cover of *hydrants* must be kept clear of all building materials or rubbish, and easy access to such hydrants from the road-way must be provided. Hydrant cover to be kept clear.

2. If brick, stone or other building materials are placed within the allotted space, they must be so placed as to allow the free passage of water in the gutter underneath the same. Gutters to be kept clear.

A violation of either of the above regulations will be sufficient to cause an immediate revocation of a permit. Penalty for such neglect.

RULES AND REGULATIONS GOVERNING THE CONSTRUCTION AND PROJECTION OF ELECTRIC LIGHTS IN THE CITY OF BOSTON.

No. 1. The framework to support said lights shall be constructed of iron, and of such size as the inspector of buildings shall approve. Construction.

No. 2. The height of said framework shall not be less than nine and one-half feet from the sidewalk to the lowest point. Height from sidewalk.

No. 3. The said framework shall not project farther from the building than a point two and one-half feet within the outer line of the curbstone. Projection from building.

No. 4. The location, workmanship, material and manner of securing said lights to be approved by the inspector of buildings. Material and workmanship.

NOTES.

SECTION 11. Cellar-doors in Boston are partially regulated by St. 1799, c. 31, § 4.

SECT. 19. The construction of bow-windows, etc., from buildings into streets is now controlled mainly by chap. 374, sect. 27 — 1885. See also P. S., chap. 28, sect. 24. The earlier provisions of Stat. 1779, chap. 31, sect. 5, are apparently now obsolete. An ordinance similar to this section was held to be valid in *Commonwealth vs. Goodnow*, 117 Mass., 114. But as to its validity under P. S., chap. 28, sect. 24, so far as concerns porticos, porches or steps see *Cushing vs. Boston*, 128 Mass., 330; also, s. c., 122, Mass., 172, and 124 Mass., 434. Violation of an ordinance like this section does not confer a right of action upon an individual. *Jenks vs. Williams*, 115 Mass., 217.

SECT. 33. See also on the subject of this section P. S., chap. 53, sect. 17; Rev. Reg. of aldermen, chap. 5, and *Day vs. Green*, 4 Cushing, 433, 437. If a building is moved through the streets without a permit, it seems that such building may be treated as a public nuisance. See *Pike vs. Brimmer*, 9 Law Reporter, 221.

# REVISED STANDING REGULATIONS OF THE BOARD OF ALDERMEN.

## CHAPTER 5.

### OF THE MOVING OF BUILDINGS IN PUBLIC STREETS.

Applications,  
how made.

SECTION 1. All applications for moving buildings through the streets of the city shall be made to the board of aldermen, and referred to a committee for consideration and report.

Applications,  
form of.

SECT. 2. Every such application shall state the location of the building proposed to be moved, its length, width, height, and the principal material of its exterior sides and of its roof; and shall definitely describe the route over which it is to be moved and the length of time that will be required to move it.

Written consent  
of inspector of  
buildings and  
railroad corpo-  
rations re-  
quired.

SECT. 3. Every such application shall be accompanied by the written consent of the inspector of buildings, to the placing of the building on the lot proposed; and also by the written consent of all railroad corporations whose tracks are to be crossed or encumbered by the moving of the building.

Permits to be  
granted only to  
practical build-  
ing-movers.

SECT. 4. Permits for the moving of buildings shall be granted only to practical building-movers, who are known to be engaged in such business.

Bonds for  
damages to be  
filed.

SECT. 5. Before such a permit is issued, the building-mover to whom it is granted shall have filed with the city clerk a bond in a sum not less than one thousand dollars and with two or more sureties, one of whom shall be the owner of the building, to indemnify and save harmless the city from all damages which may be caused to persons or property by reason of the moving of the building.

Shade trees, fire-  
alarm wires and  
lamps not to be  
disturbed.

SECT. 6. No shade tree shall be removed or the branches thereof cut or trimmed in order to facilitate the moving of a building, except by the written consent of the board of aldermen; no fire-alarm telegraph wire shall be cut for said

purpose, except by the written consent of the board of fire commissioners ; and no street lamp or lamp-post shall be removed for said purpose, except by the written consent of the superintendent of lamps.

NOTE.

By P. S., chap. 53, sect. 17, and P. S., chap. 28, sect. 2, the moving of buildings through the streets of cities, except by the written permission of the board of aldermen, is forbidden.

CHAPTER 6.

OF COAL-HOLES AND VAULTS UNDER SIDEWALKS.

SECTION 1. The superintendent of streets may issue the licenses mentioned in section five of chapter twenty-eight of the Revised Ordinances, for the making of excavations or openings in streets or under sidewalks, and all such licenses shall be subject to the provisions of this chapter, a copy of which shall be printed on each license, and a violation of any of said provisions shall work a forfeiture of all privileges granted by the license. All such licenses may at any time be revoked by the board of aldermen.

Licenses for excavations or openings in streets or under sidewalks, how issued and revoked.

SECT. 2. No such license shall be granted, except upon an application in writing, signed by the applicant and setting forth the dimensions of the proposed excavation or opening and the purpose for which it is to be used ; and the applicant shall also be required to sign, before the license is granted, an agreement to conform on his part to all the provisions and requirements of this chapter.

Applications for such licenses, etc.

SECT. 3. Every coal-hole and vault under a sidewalk shall be constructed as follows : The outer wall next to the carriage-way or road-way shall be formed of heavy granite, of not less than two and one-half feet in thickness, and shall be laid with good cement, and no part thereof shall project beyond the edgestone ; the sides shall be at least one foot thick, and composed of good hard bricks or granite blocks, laid in cement mortar ; the top shall be formed either by a brick arch or arches turned in a good and substantial man-

Coal-holes and vaults under sidewalks, how to be constructed.



ner, or by rough-hammered granite at least one foot thick, or by bluestone or North-river flagstone at least six inches thick, or by iron and glass, or rough surface iron, similar in character to the "Hyatt Light," so called. Each coal-hole or vault thus constructed shall not exceed eleven feet in depth, measuring from the top of the sidewalk. The opening in a sidewalk over a coal-hole or vault shall not exceed eighteen inches in diameter, and shall be covered with a substantial iron plate with a rough surface to prevent accidents. The entire construction of all coal-holes or vaults shall be subject to the direction and supervision of the superintendent of streets, or of such other person as the board of aldermen may designate. When a coal-slide is placed in a sidewalk it shall be constructed with at least eight-inch brick walls, laid in good cement mortar, and the whole shall be covered as before mentioned.

Owners liable for injuries caused by defective coal-holes or vaults.

SECT. 4. The owner and tenant of the estate in front of which a coal-hole or vault is constructed shall be responsible to the city for any and all damages to persons or property in consequence of any defect in the construction of such coal-hole or vault, or by means of the same or any portion thereof being allowed to remain out of repair; and such owner and tenant shall be required to keep the said coal-hole or vault and its walls and coverings in good order at all times.

Occupants of estates liable for injuries caused by insecure covering to coal-hole or vault.

SECT. 5. The occupant of the estate in front of which a coal-hole or vault is constructed shall be responsible to the city for any and all damages occasioned to persons or property in consequence of the opening in the sidewalk being left uncovered, or from the covering thereof being left insecure or unfastened; and such occupant shall be required to keep such coal-hole or vault cover in good order and safe for public travel over the same.

Boilers, furnaces, water-closets, etc., not to be located under sidewalks.

SECT. 6. No boiler, steam-shaft, furnace, or steam-pipe, and no cesspool, privy, or water-closet shall be constructed or located for use in a coal-hole or vault under a sidewalk, and no explosive substance or inflammable oil shall be stored in such a coal-hole or vault, and no such coal-hole or vault shall be ventilated into a street.

SECT. 7. Any excavation under a sidewalk, whether licensed or not, shall, after one week's notice to that effect, given by the board of aldermen, be closed and filled up at the owner's expense.

Board of aldermen, after proper notice, may close up any excavations under a sidewalk.

SECT. 8. When a coal-hole or vault under a sidewalk, or when an opening constructed in a sidewalk, is not covered or secured as provided in section three, or is in the opinion of the board of aldermen unsafe or inconvenient for the public travel, the said board may order the same to be removed, and a suitable one to be put in its place; and if such order is not complied with within ten days from the service thereof on the owner or tenant of the premises, or other person having the care thereof, the superintendent of streets shall make the required change at the expense of such owner, tenant, or other person having the care of the premises.

Board of aldermen may order coal-holes and vaults not properly covered to be removed.

SECT. 9. No person shall leave a coal-hole, excavation or other opening in a sidewalk open or unfastened in the daytime, unless while it is in use by some person or persons actually attending the same, nor after sunset in any case.

Coal-holes, etc., not to be left open.

SECT. 10. An excavation or opening made under a license shall not, without the consent in writing of the superintendent of streets, be used for any other purpose than that stated in the application, and every license may at any time be revoked by the board of aldermen.

Not to be used for other purpose than licensed for.

#### NOTE.

SECT. 6. P. S., chap. 102, sect. 47, authorizes the board of aldermen to license and regulate the use of steam-engines. See *Alter vs. Dodge*, 140 Mass., 594.

### CHAPTER 7.

#### OF HOISTING GOODS AND SAFES OVER SIDEWALKS.

SECTION 1. When goods or merchandise are raised or lowered over a street, by virtue of a license from the board of aldermen, good and sufficient barriers shall be placed across the sidewalk, from the wall of the building from

Public to be protected by barriers, when hoisting or lowering goods.

which they are so raised or lowered to the curbstone of the sidewalk, on each side of the goods or merchandise so raised or lowered, and such barriers shall be kept in their places during the whole time the work of raising or lowering is in progress, so as to protect travellers from injury or danger.

Time limit for  
hoisting or  
lowering goods.

SECT. 2. The sidewalk shall not be encumbered by such goods or merchandise, or by the raising or lowering thereof, for more than fifteen minutes at any one time.

Licensed parties  
to indemnify the  
city.

SECT. 3. All persons licensed to raise or lower goods outside of buildings shall indemnify and save the city harmless against all damages, costs and expenses to which it shall be subjected on account of their acts under such license.

Licenses may be  
revoked.

SECT. 4. Every such license may be revoked at the pleasure of the board of aldermen.

Inspector of  
buildings to  
grant permits  
for hoisting or  
lowering safes.

SECT. 5. The inspector of buildings may grant permits to suitable persons to raise and lower safes into and from buildings in the streets of the city, and to occupy in so doing such portions of the streets as the said inspector may deem necessary, subject to such conditions and regulations as he may prescribe for the safety and convenience of the public.



CITY OF BOSTON.

IN BOARD OF ALDERMEN, Jan'y 23, 1888.

*Ordered*, That the Inspector of Buildings be authorized, under the direction of the Committee on the Department for the Inspection of Buildings on the part of this Board, to issue permits for electric, gas, or oil lamps, or lights to be attached to buildings, where the same may be demanded by the owners or lessees thereof, at such height from the sidewalks and at such distance from the buildings as the public safety and convenience may require, said lamps or lights to be in each instance plain and unlettered.

Passed.

Approved by the Mayor, Jan. 25, 1888.

A true copy.

Attest :

JOHN T. PRIEST,

*Asst. City Clerk.*

# THICKNESS OF WALLS.

---

## FOUNDATIONS.

---

### DWELLINGS, ETC.

- 35' high or less — 18" block stone.  
16" brick, laid in cement.
  - 35' to 65' — 24" block stone.  
20" brick, laid in cement.
  - Every additional 15' — 4" thicker.
- 

### OTHER THAN DWELLINGS, ETC.

- Block stone — 8' thicker than walls over same.
- 

## EXTERNAL AND PARTY WALLS.

---

### DWELLINGS, ETC.

- 20'  $\times$  40' — 30' high, 8".
  - 60' or less in height — 12" entire height.
  - 60' to 70' — 16" top 2d floor, 12" above.
  - 70' to 80' — 20" top 2d floor, 16" top upper floor (12" above),  
if the upper story is not more than 10' in height.
  - 80' to 100' — 24" 2d floor, 16" above.
  - 100' and over, as required by Inspector.
- 

## EXTERNAL WALLS.

---

### OTHER THAN DWELLINGS, ETC.

- 40' or less — 16" 2d floor, 12" above.
  - 40' to 60' — 20" 2d floor, 16" upper floor, 12" above.
  - 60' to 80' — 20" 3d floor, 16" upper floor, 12" above.
  - 80' to 100' — 24" 1st floor, 20" 3d floor, 16" above.
  - 100' or over, as Inspector requires.
- 

## PARTY WALLS.

---

### OTHER THAN DWELLINGS, ETC.

- 40' or less — 16" top 2d floor, 12" above.
- 40' to 65' — 20" 2d floor, 16" above.
- 65' to 80' — 24" 1st floor, 20" 3d floor, 16" above.
- 80' to 100' — 24" 3d floor, 20" 5th floor, 16" above.

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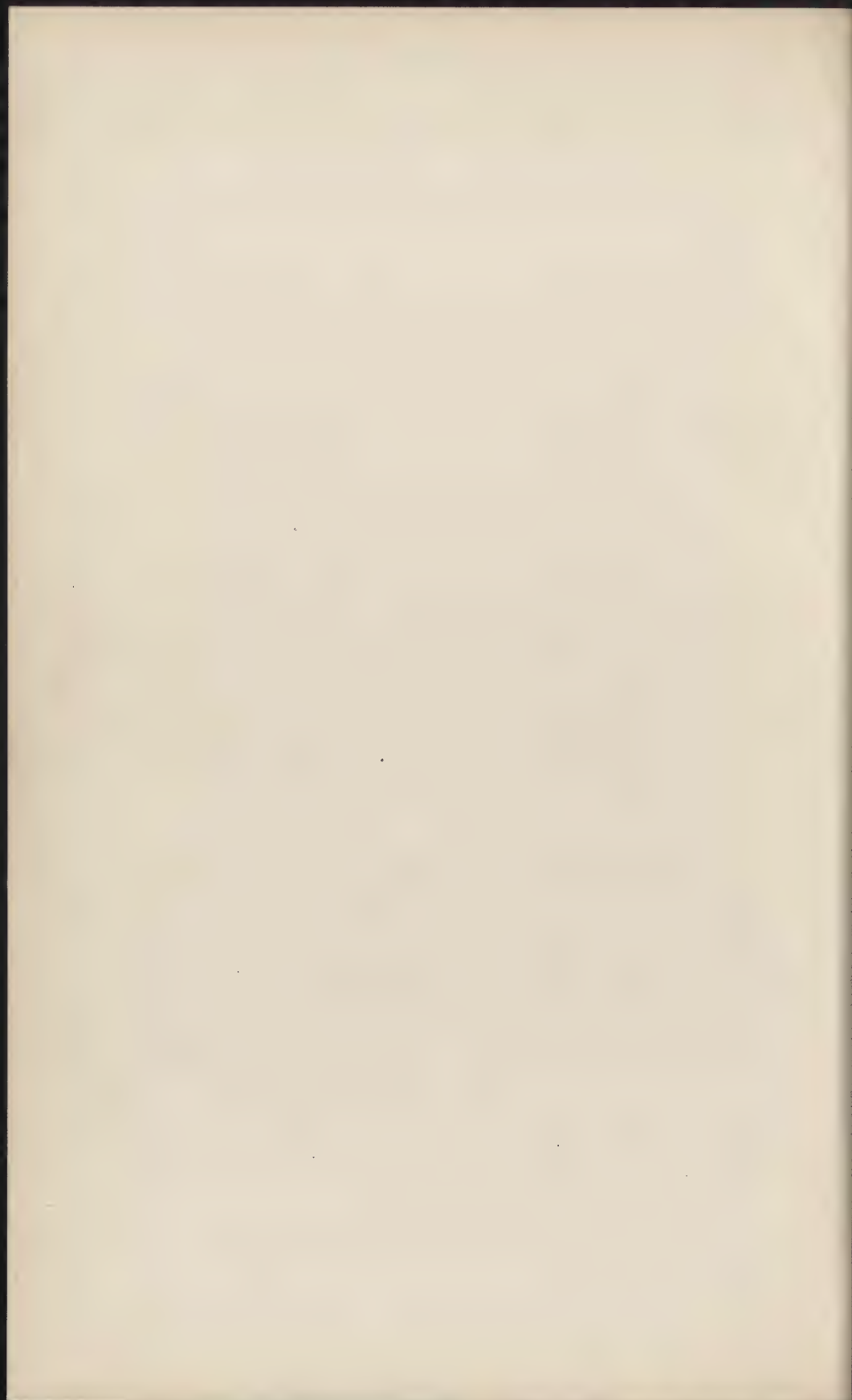
### FIRE-STOPS.

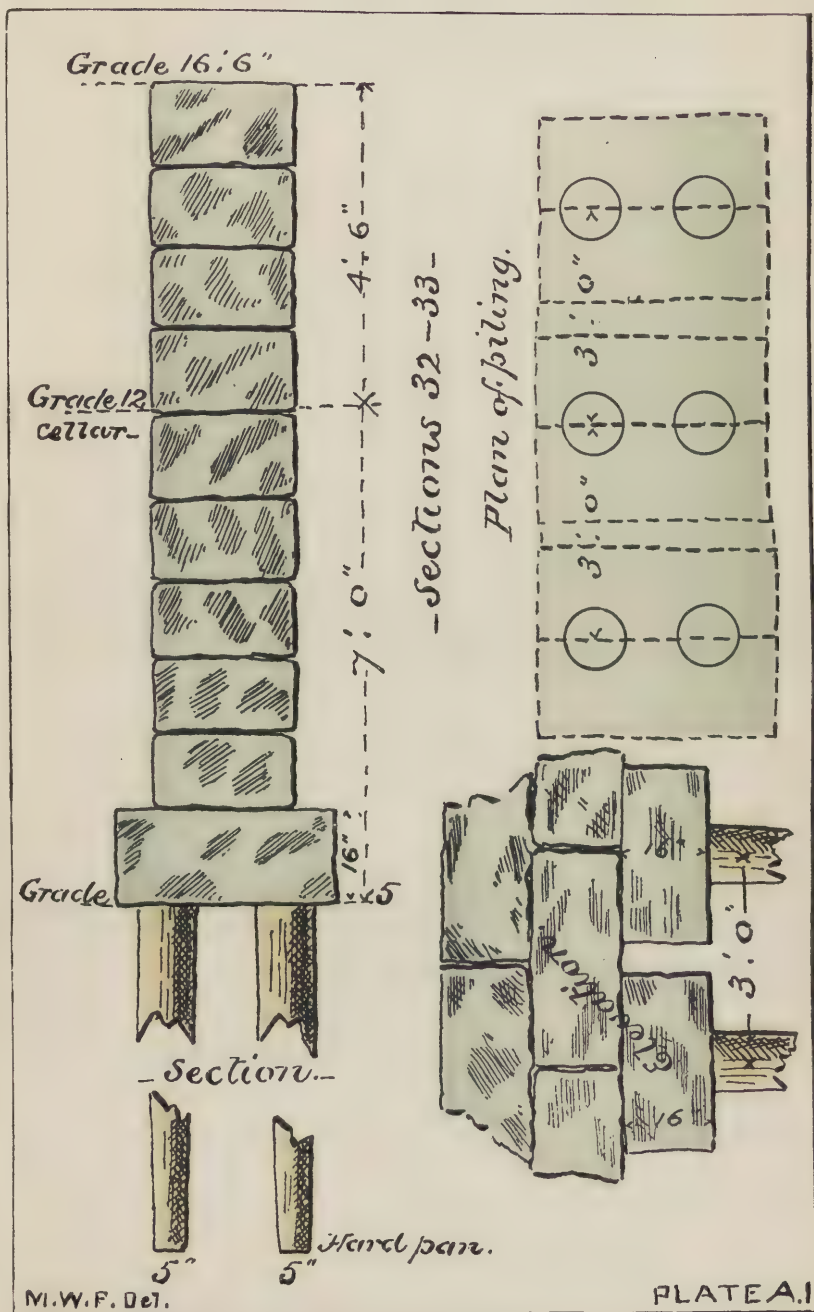
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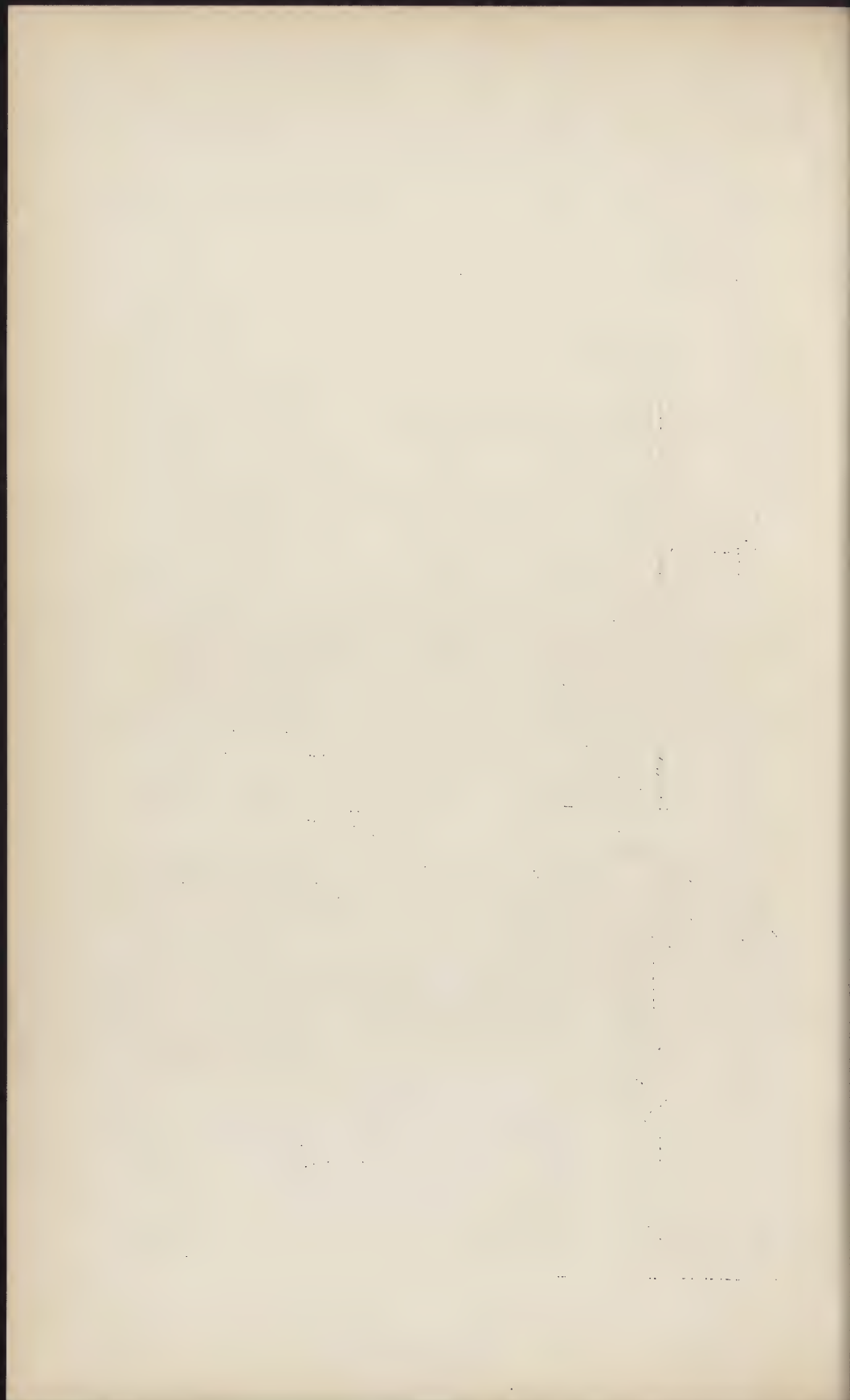
### CHAPTER 48 — REVISED ORDINANCES OF 1885.

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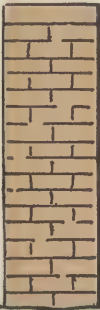




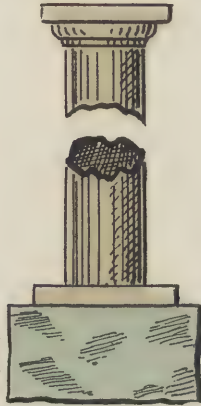


Isolated

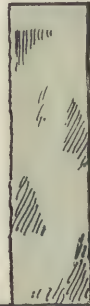
Pier



Column

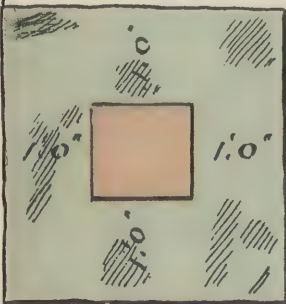


Post

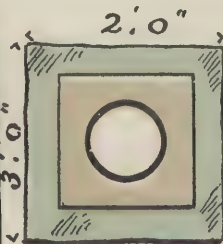


- Section 34 -

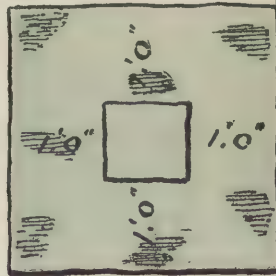
*For brick buildings exceeding 35.0' in height.*



*Plan.*



*Plan.*



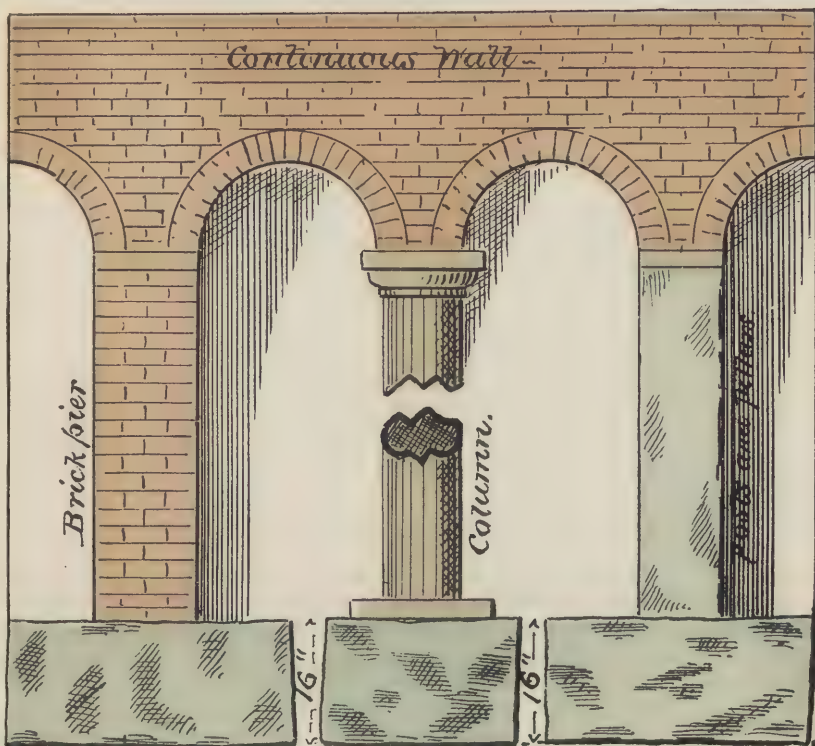
*Plan.*

1. The first part of the report is a general introduction to the subject of the study. It discusses the importance of the study and the objectives of the research. It also provides a brief overview of the methodology used in the study.

2. The second part of the report is a detailed description of the study area. It includes information about the location of the study area, the population of the study area, and the characteristics of the study area. It also discusses the data sources used in the study.

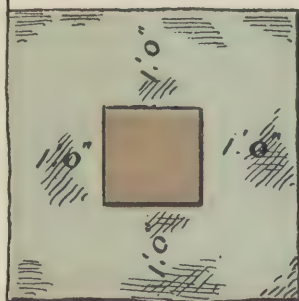
3. The third part of the report is a detailed description of the study results. It includes information about the findings of the study, the conclusions drawn from the findings, and the implications of the findings. It also discusses the limitations of the study and the need for further research.

4. The fourth part of the report is a detailed description of the study conclusions. It includes information about the overall findings of the study, the conclusions drawn from the findings, and the implications of the findings. It also discusses the limitations of the study and the need for further research.

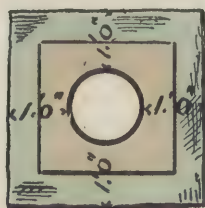


— Section 34. —

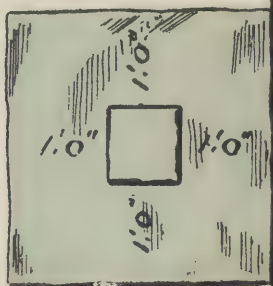
For brick buildings exceeding 35'.0" in height.



Plan.



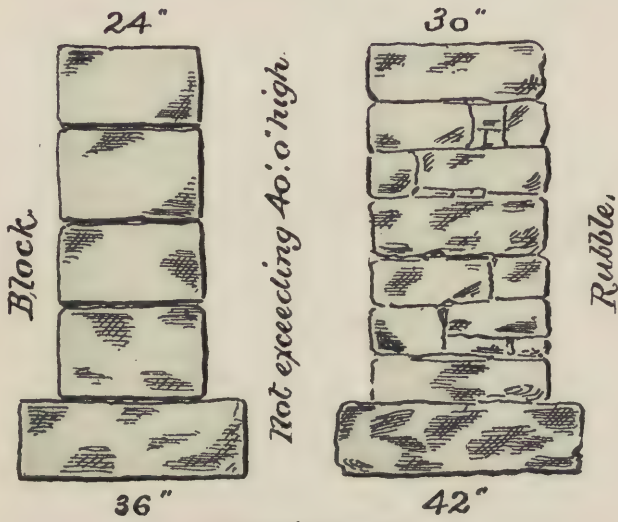
Plan.



Plan.

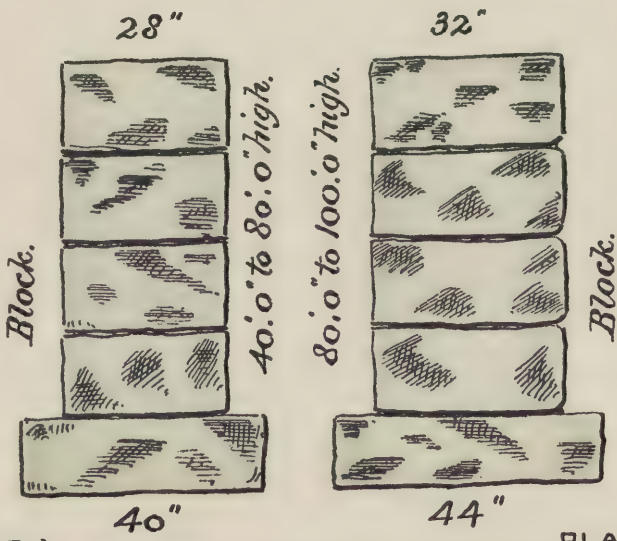


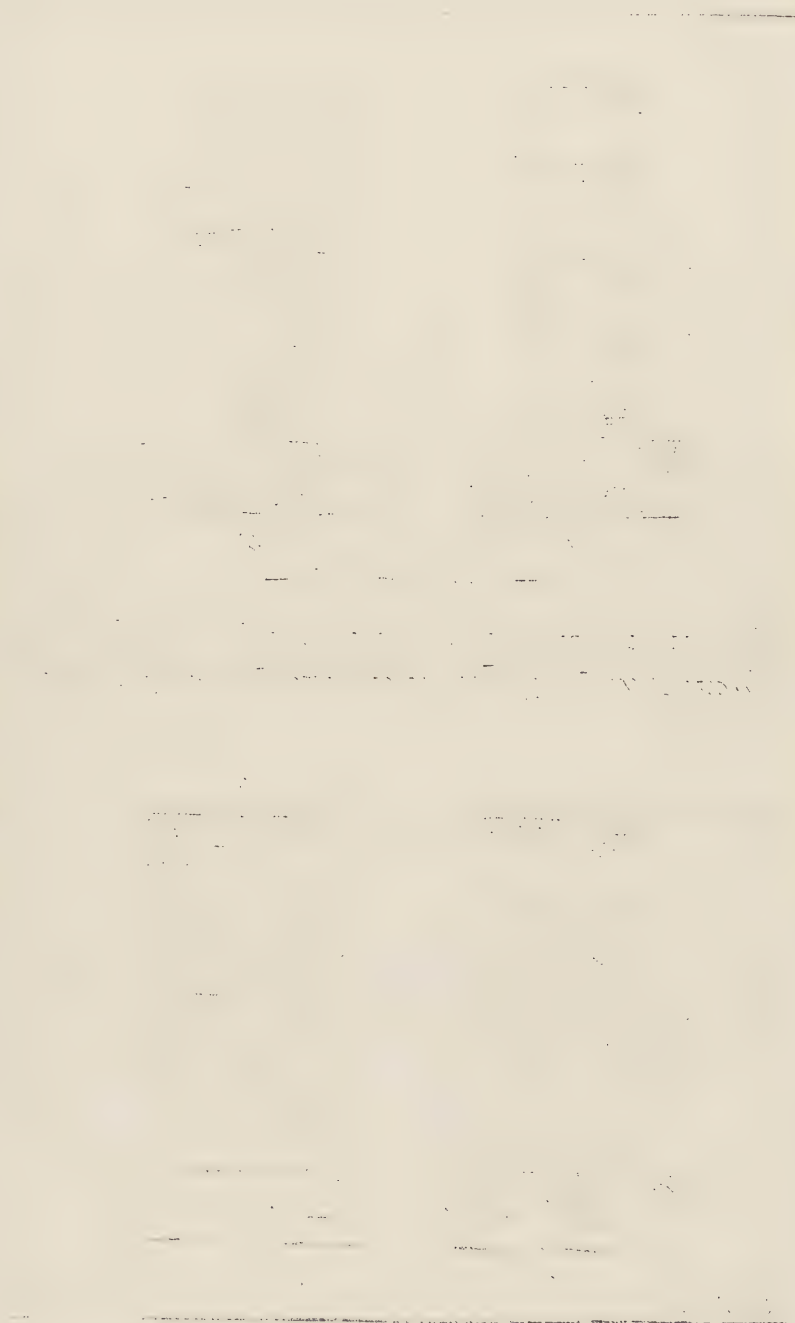




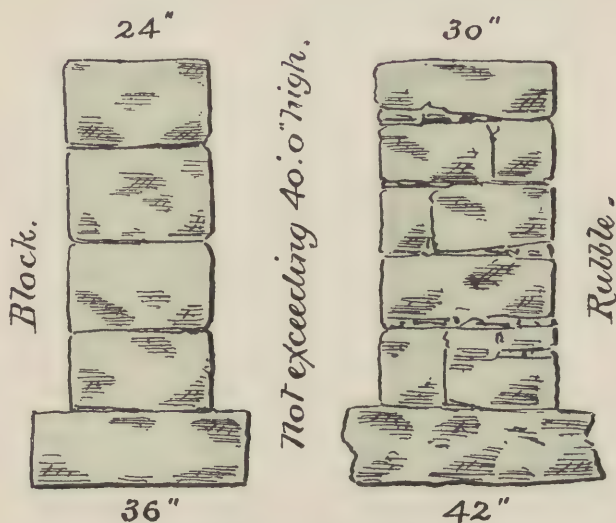
— Section 35. —

*Foundation for external walls of other than Dwelling, Tenement and Lodging Houses.*



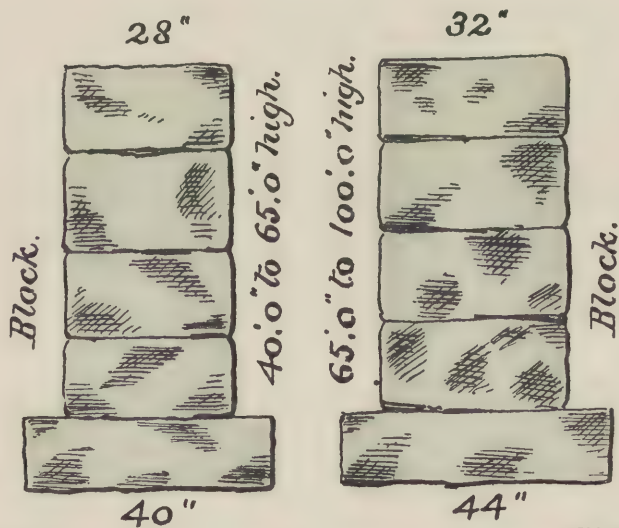






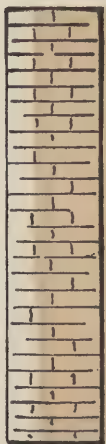
— Section 35. —

*Foundation for party walls of other than Dwelling, Tenement and Lodging Houses.*



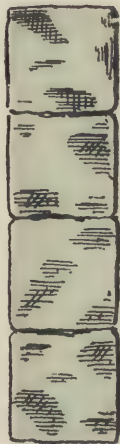


*Brick.*



16"

*Block.*



18"

*Rubble.*



22½"

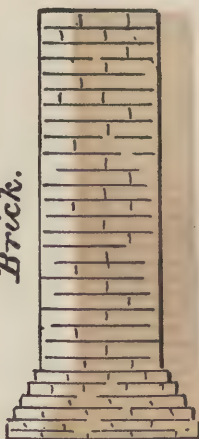
*Foundation walls, Dwelling, Tenement and Lodging Houses. not exceeding 35'.0" high.*

— Section 36. —

*Exceeding 35'.0", not exceeding 60'.0" in height.*

20"

*Brick.*



32"

24"

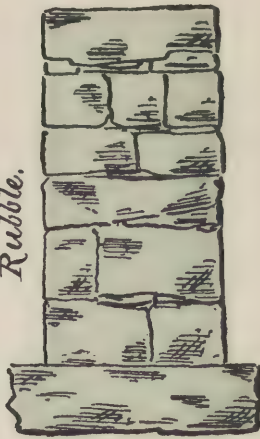
*Block.*



36"

30"

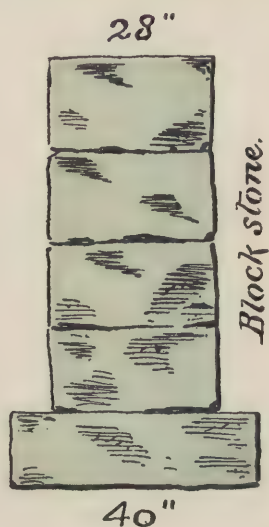
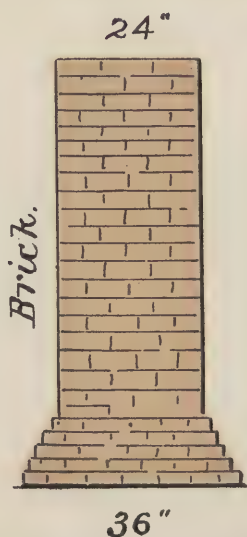
*Rubble.*



42"

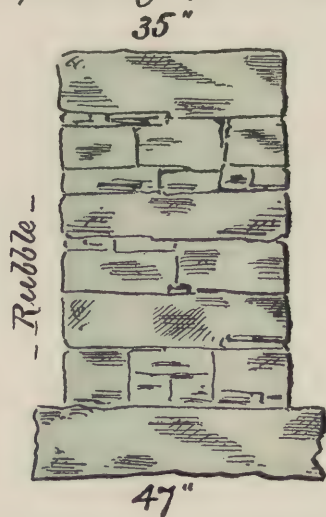


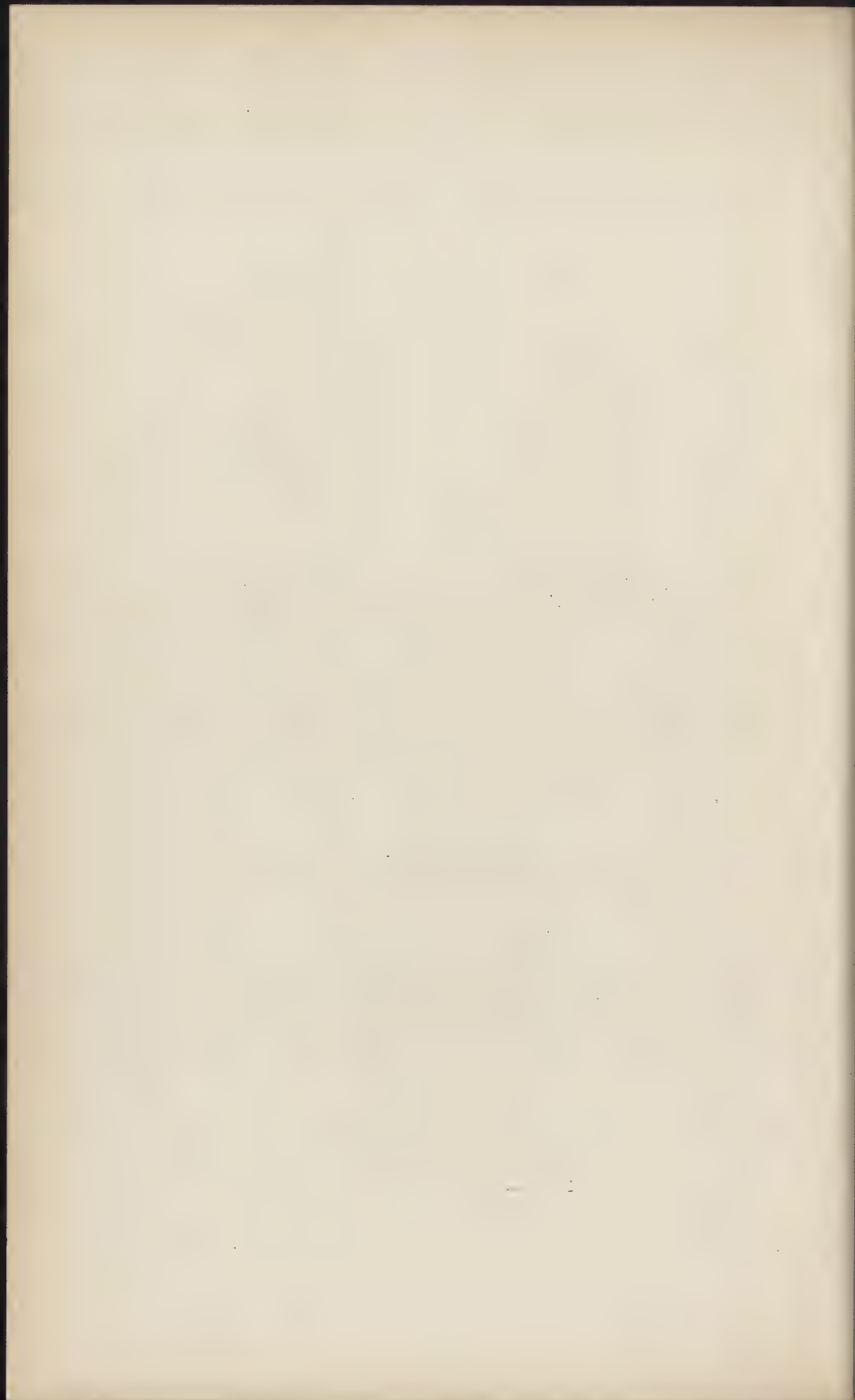




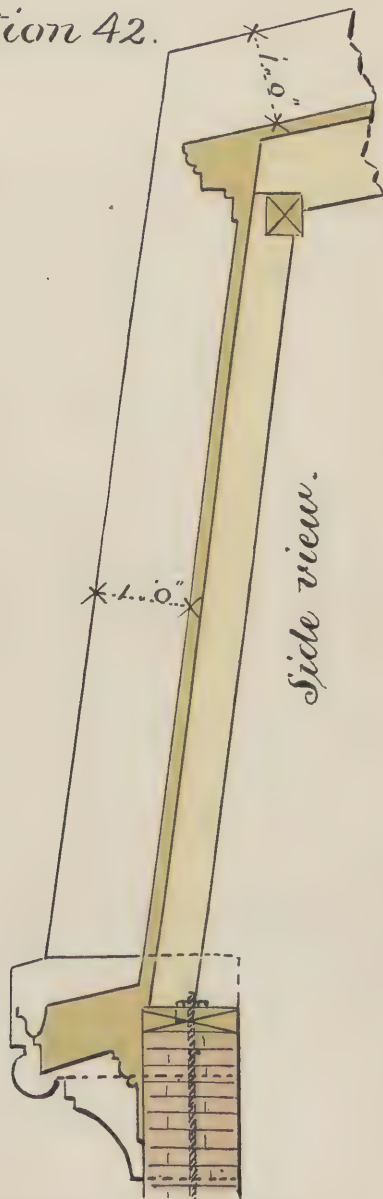
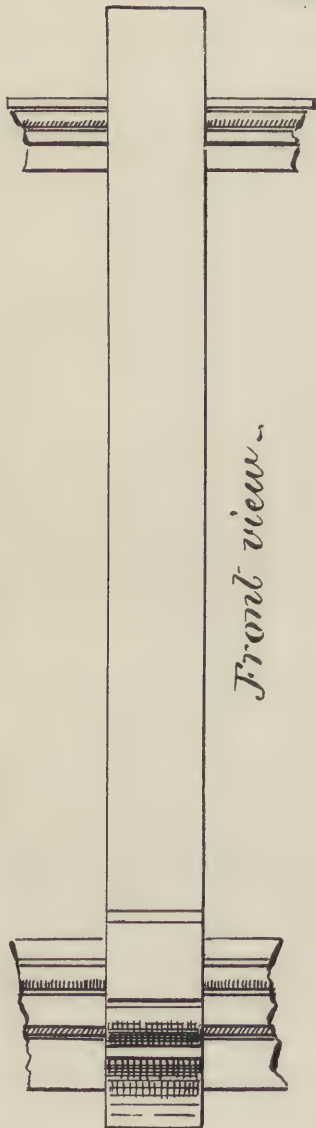
— Section 36. —

*Foundation walls, Dwelling, Tenement  
and Lodging Houses, exceeding 60'. 0"  
and not exceeding 75'. 0" in height.*



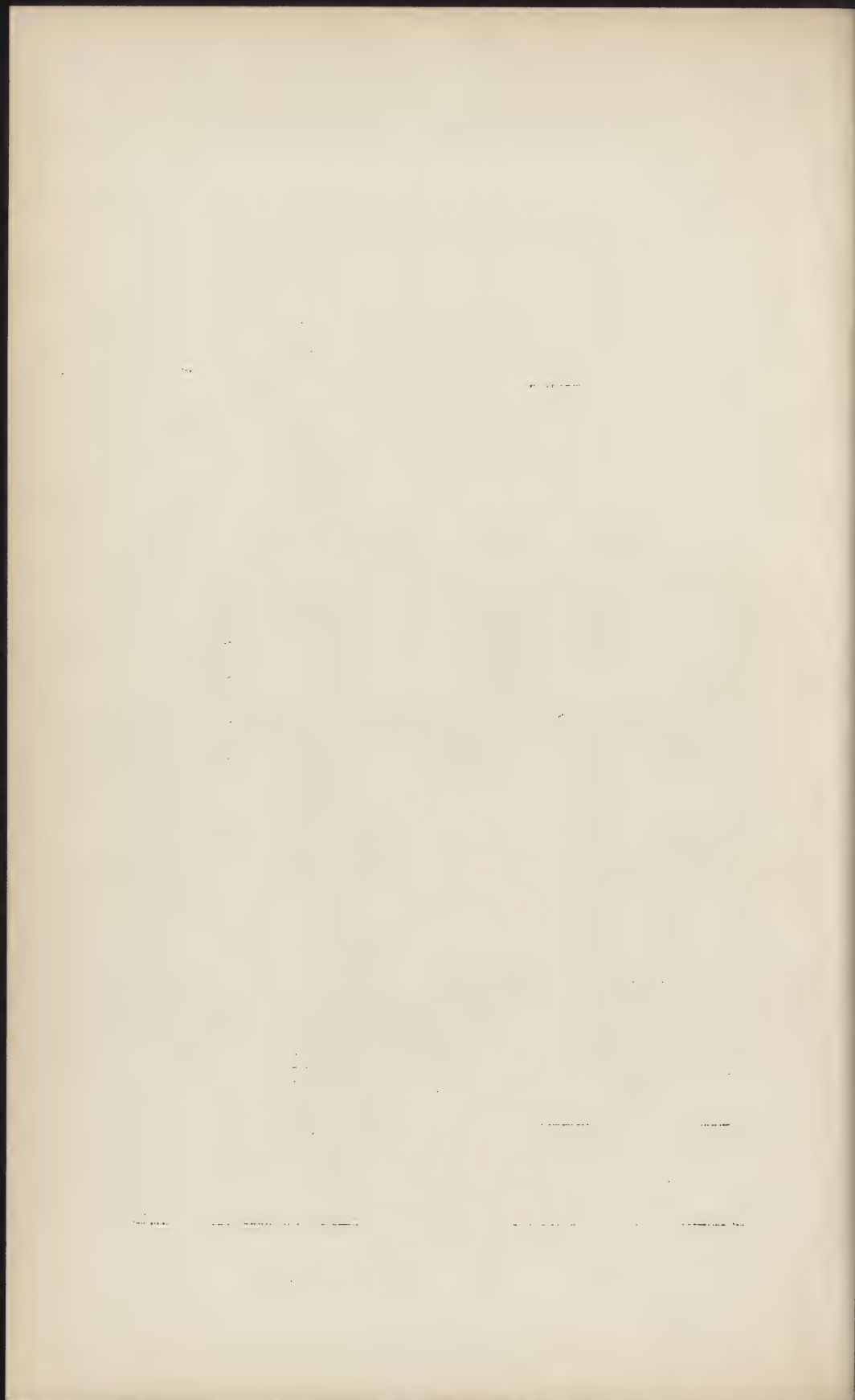


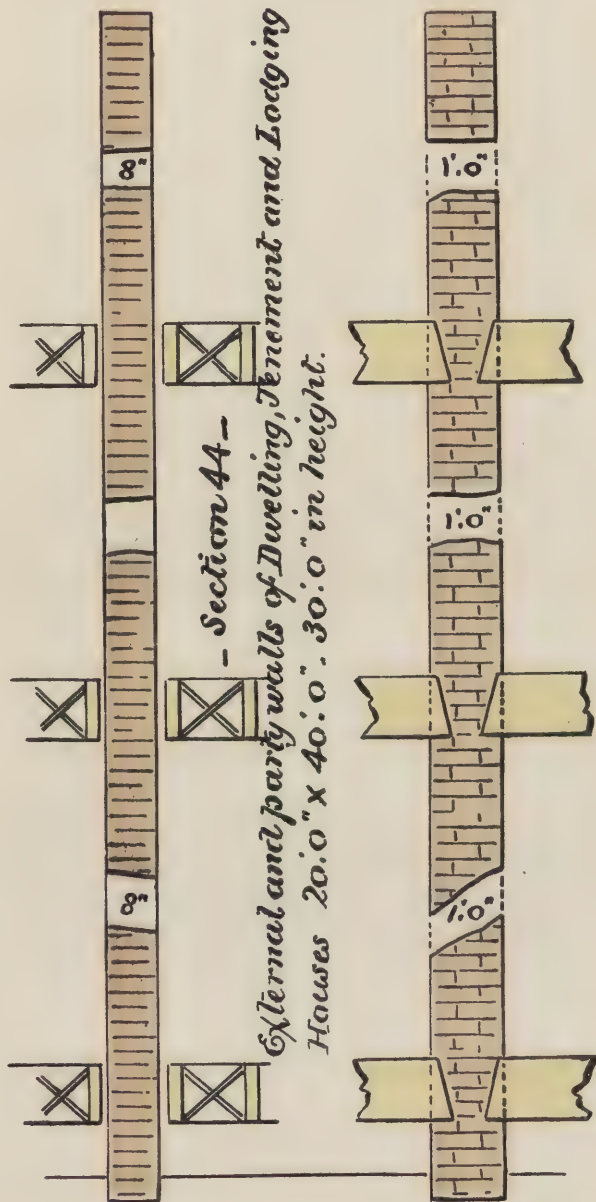
Section 42.



Party walls to be built thro' Roof.





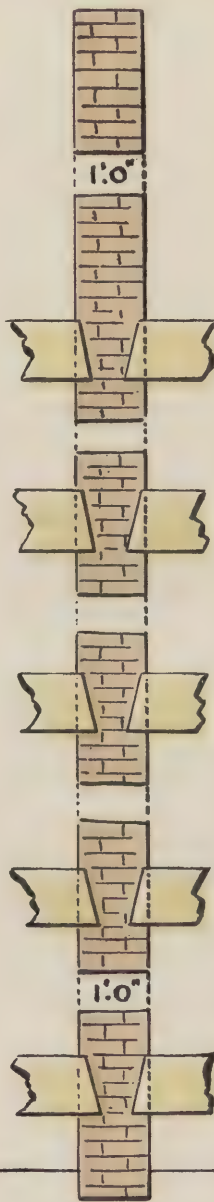






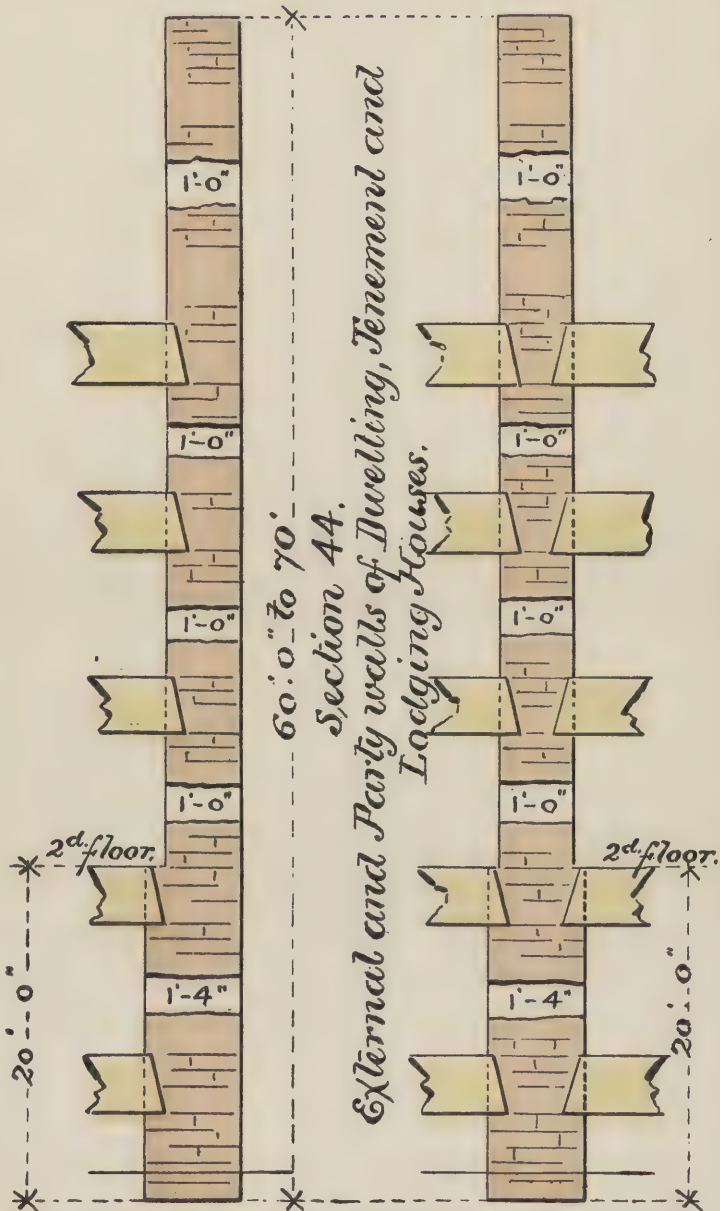
— Section 44 —

*External and party walls of Dwelling, Tenement and Lodging  
Houses 30.0' to 60.0' high.*









Section 44.  
External and Party walls of Dwelling, Tenement and  
Lodging Houses.

1. The first part of the document is a list of names and addresses, which are arranged in two columns. The names are written in a cursive script, and the addresses are written in a more formal, printed style. The list appears to be a directory or a list of contacts.

2. The second part of the document is a series of short, handwritten notes or letters. These are arranged in a single column and are written in a cursive script. They appear to be personal communications or notes related to the names listed in the first part.

3. The third part of the document is a series of short, handwritten notes or letters. These are arranged in a single column and are written in a cursive script. They appear to be personal communications or notes related to the names listed in the first part.

4. The fourth part of the document is a series of short, handwritten notes or letters. These are arranged in a single column and are written in a cursive script. They appear to be personal communications or notes related to the names listed in the first part.

5. The fifth part of the document is a series of short, handwritten notes or letters. These are arranged in a single column and are written in a cursive script. They appear to be personal communications or notes related to the names listed in the first part.

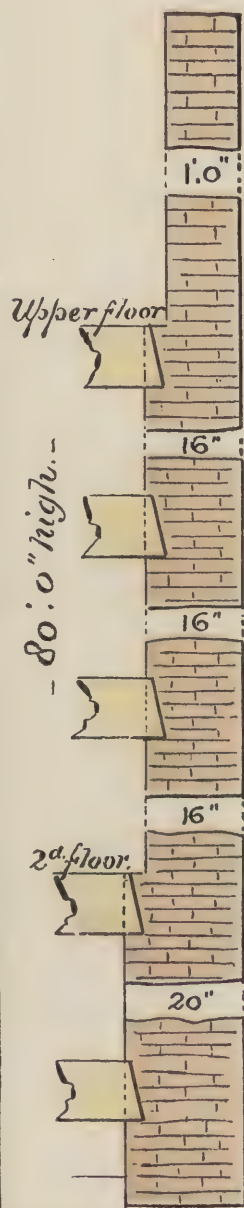
6. The sixth part of the document is a series of short, handwritten notes or letters. These are arranged in a single column and are written in a cursive script. They appear to be personal communications or notes related to the names listed in the first part.

7. The seventh part of the document is a series of short, handwritten notes or letters. These are arranged in a single column and are written in a cursive script. They appear to be personal communications or notes related to the names listed in the first part.

8. The eighth part of the document is a series of short, handwritten notes or letters. These are arranged in a single column and are written in a cursive script. They appear to be personal communications or notes related to the names listed in the first part.

9. The ninth part of the document is a series of short, handwritten notes or letters. These are arranged in a single column and are written in a cursive script. They appear to be personal communications or notes related to the names listed in the first part.

10. The tenth part of the document is a series of short, handwritten notes or letters. These are arranged in a single column and are written in a cursive script. They appear to be personal communications or notes related to the names listed in the first part.



*Upper floor*

*- 80.0" high. -*

*2<sup>d</sup> floor.*

20"

16"

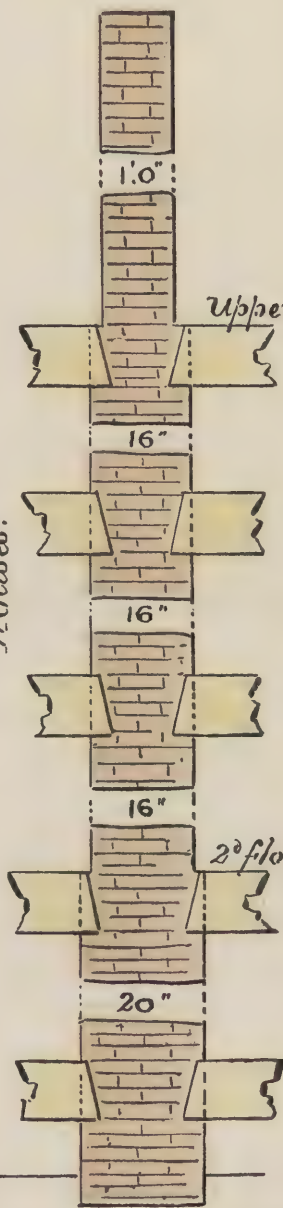
16"

16"

1.0"

*- Section 44. -*

*External and Party walls of Dwelling, Tenement and Lodging Houses.*



*Upper floor.*

*- 80.0" high. -*

*2<sup>d</sup> floor.*

20"

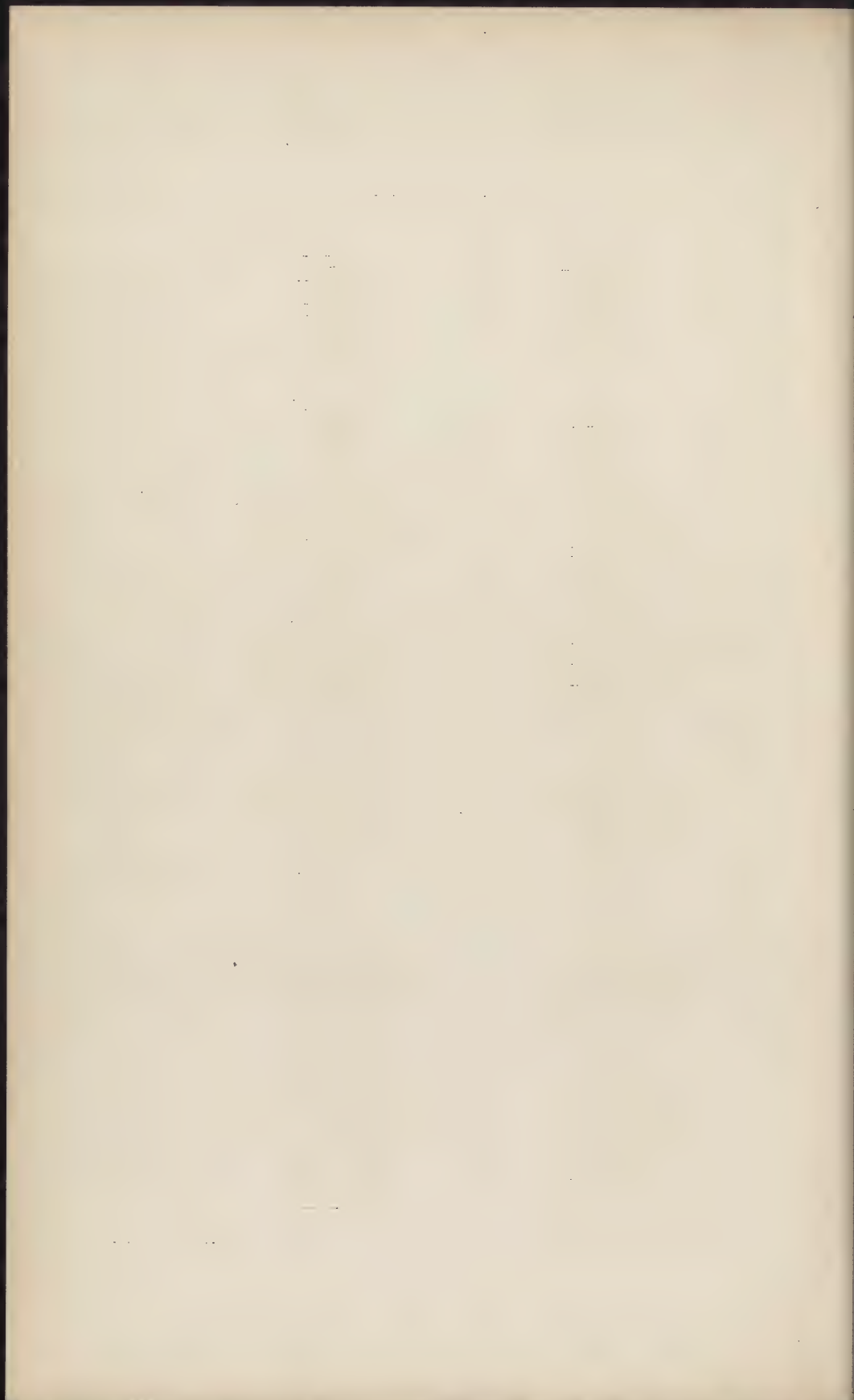
16"

16"

16"

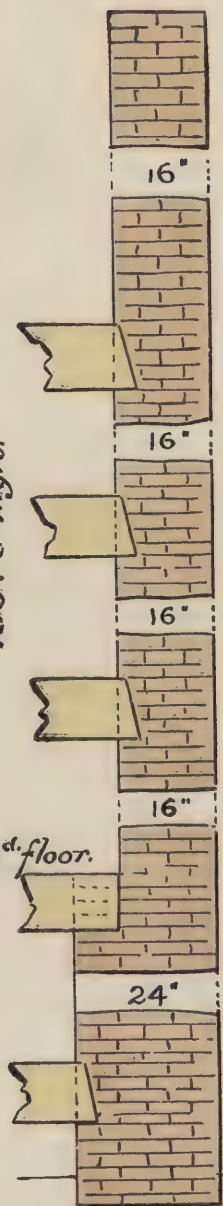
1.0"





100' 0" high.

2<sup>d</sup>. floor.

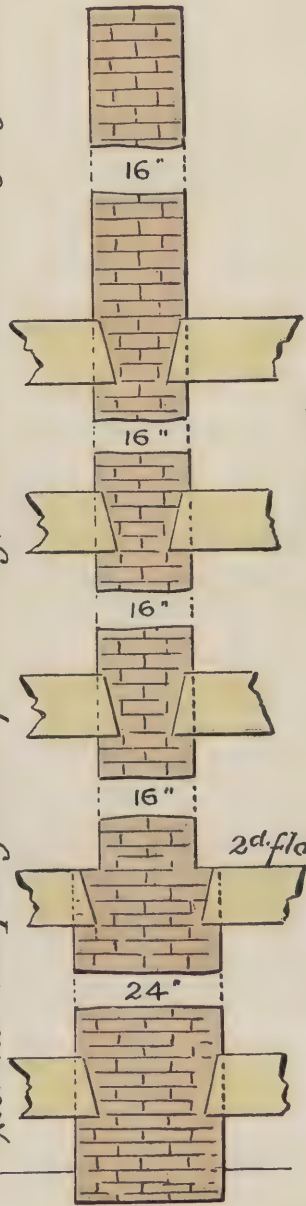


Section 44 -

External and Party walls of Dwelling, Tenement and Lodging Houses.

100' 0" high.

2<sup>d</sup>. floor.



THE  
FEDERAL  
BUREAU OF  
INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE  
WASHINGTON, D. C.

REPORT OF  
SPECIAL AGENT  
IN CHARGE  
OF THE  
BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE  
WASHINGTON, D. C.

TO THE  
DIRECTOR  
OF THE  
BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE  
WASHINGTON, D. C.

FROM  
SPECIAL AGENT  
IN CHARGE  
OF THE  
BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE  
WASHINGTON, D. C.

RE  
MURDER OF  
JAMES EARL RAY  
AT  
MEMPHIS, TENNESSEE  
MAY 6, 1968

RE  
MURDER OF  
JAMES EARL RAY  
AT  
MEMPHIS, TENNESSEE  
MAY 6, 1968

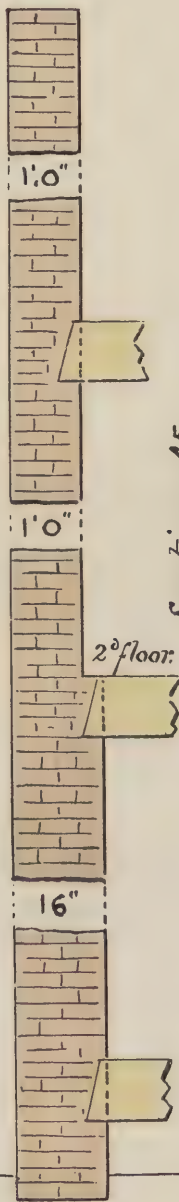
RE  
MURDER OF  
JAMES EARL RAY  
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MAY 6, 1968

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MAY 6, 1968

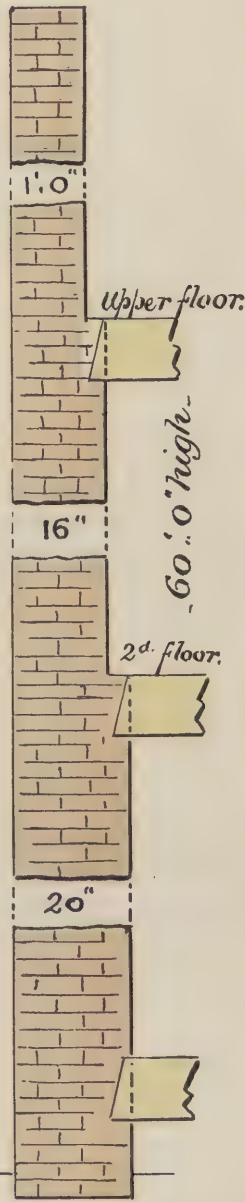
RE  
MURDER OF  
JAMES EARL RAY  
AT  
MEMPHIS, TENNESSEE  
MAY 6, 1968

40' 0" high.

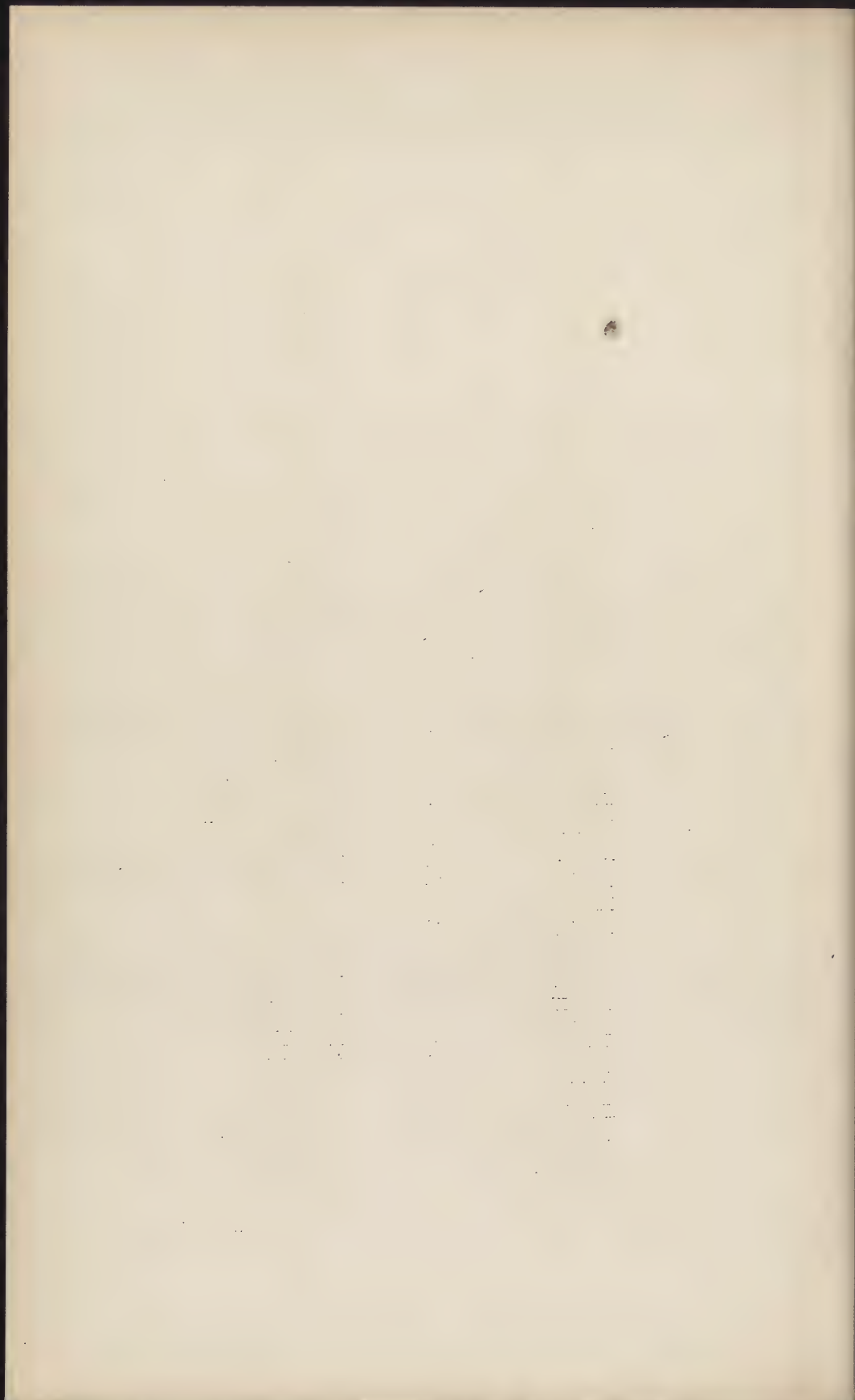


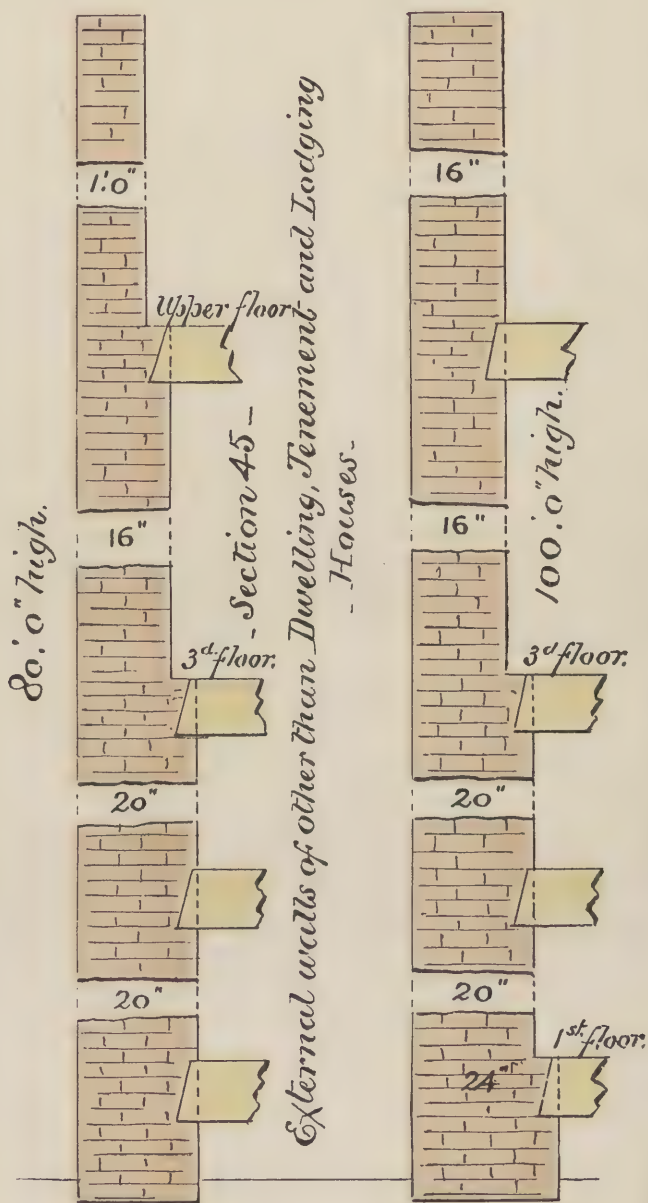
Section 45 -

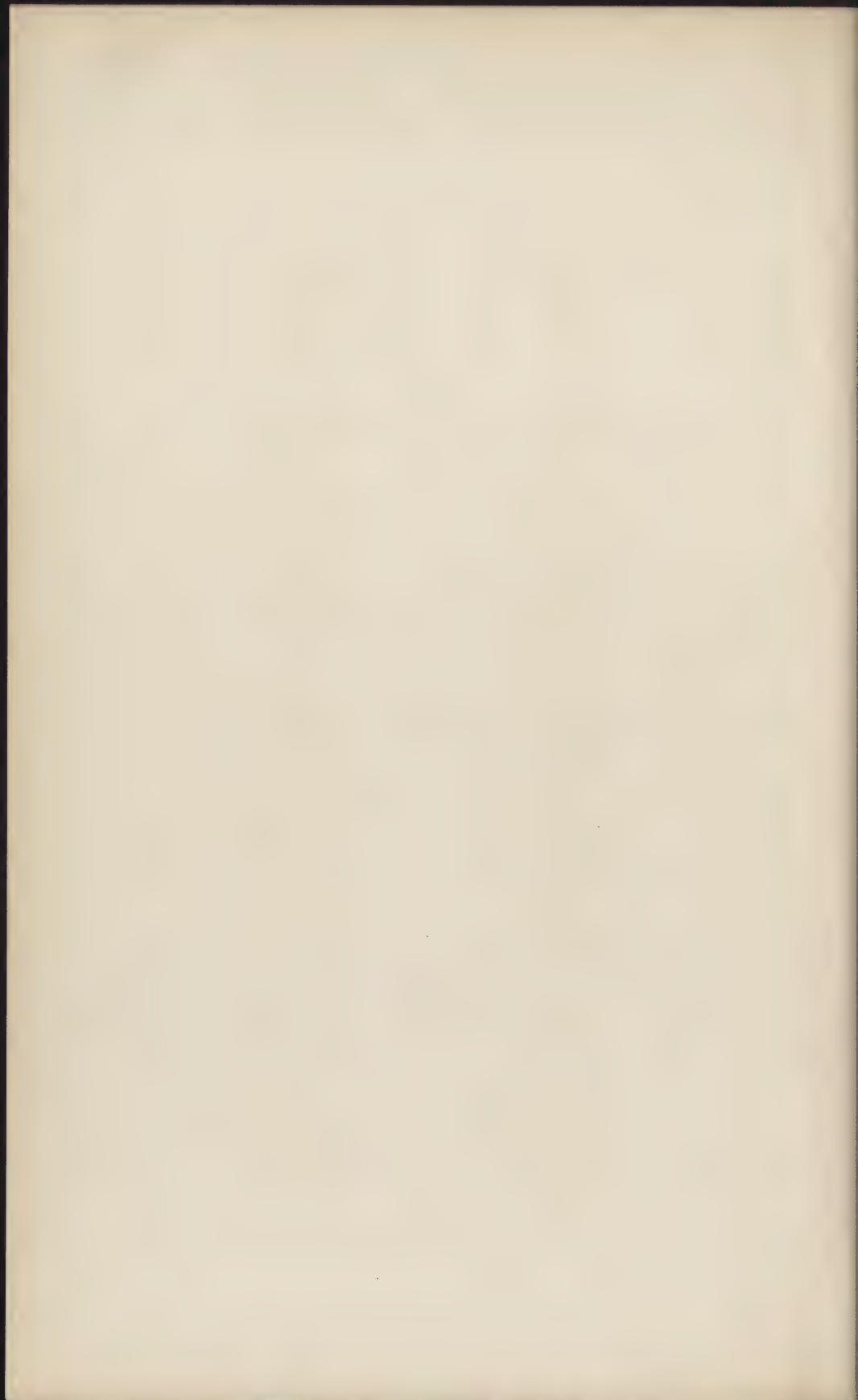
External walls of other than Dwelling, Tenement and Lodging Houses.

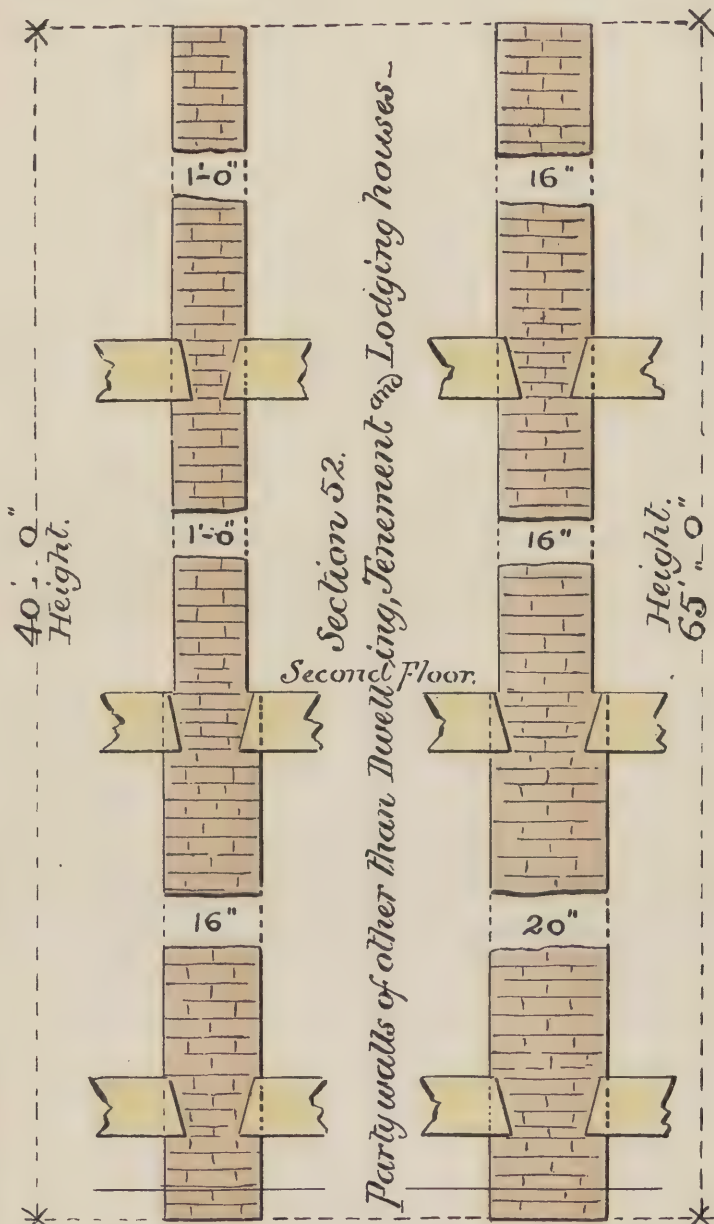








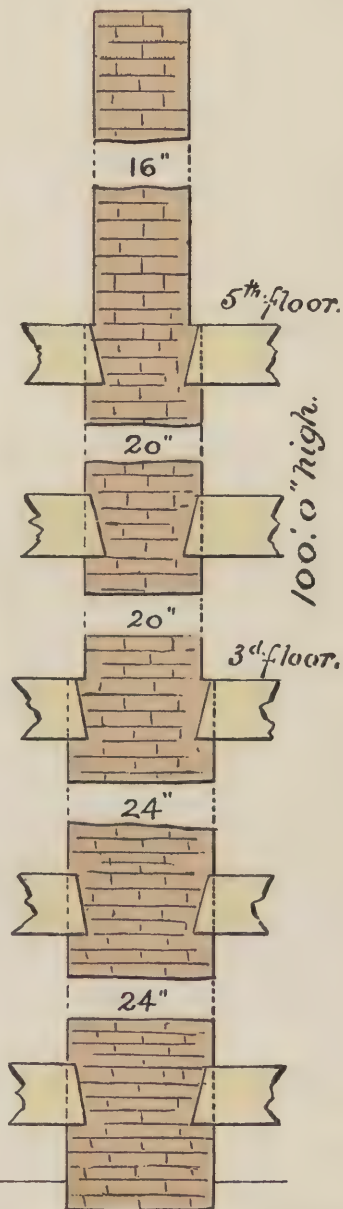
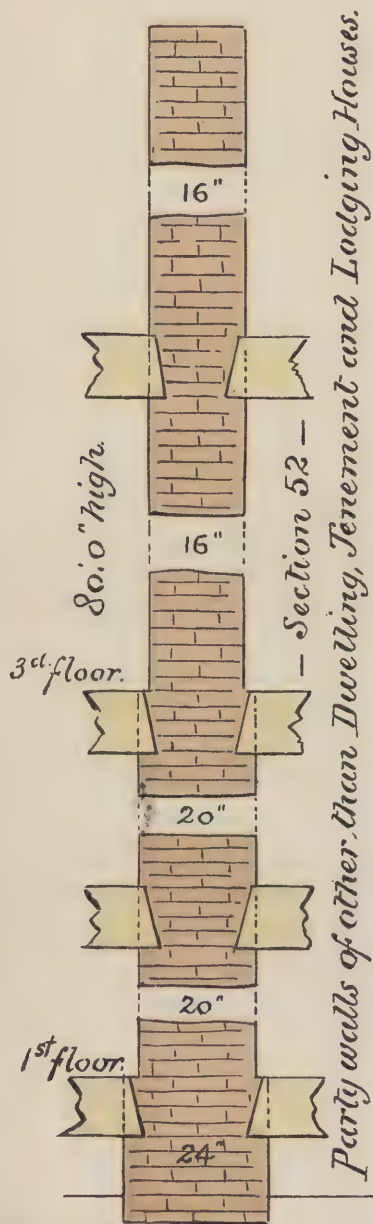


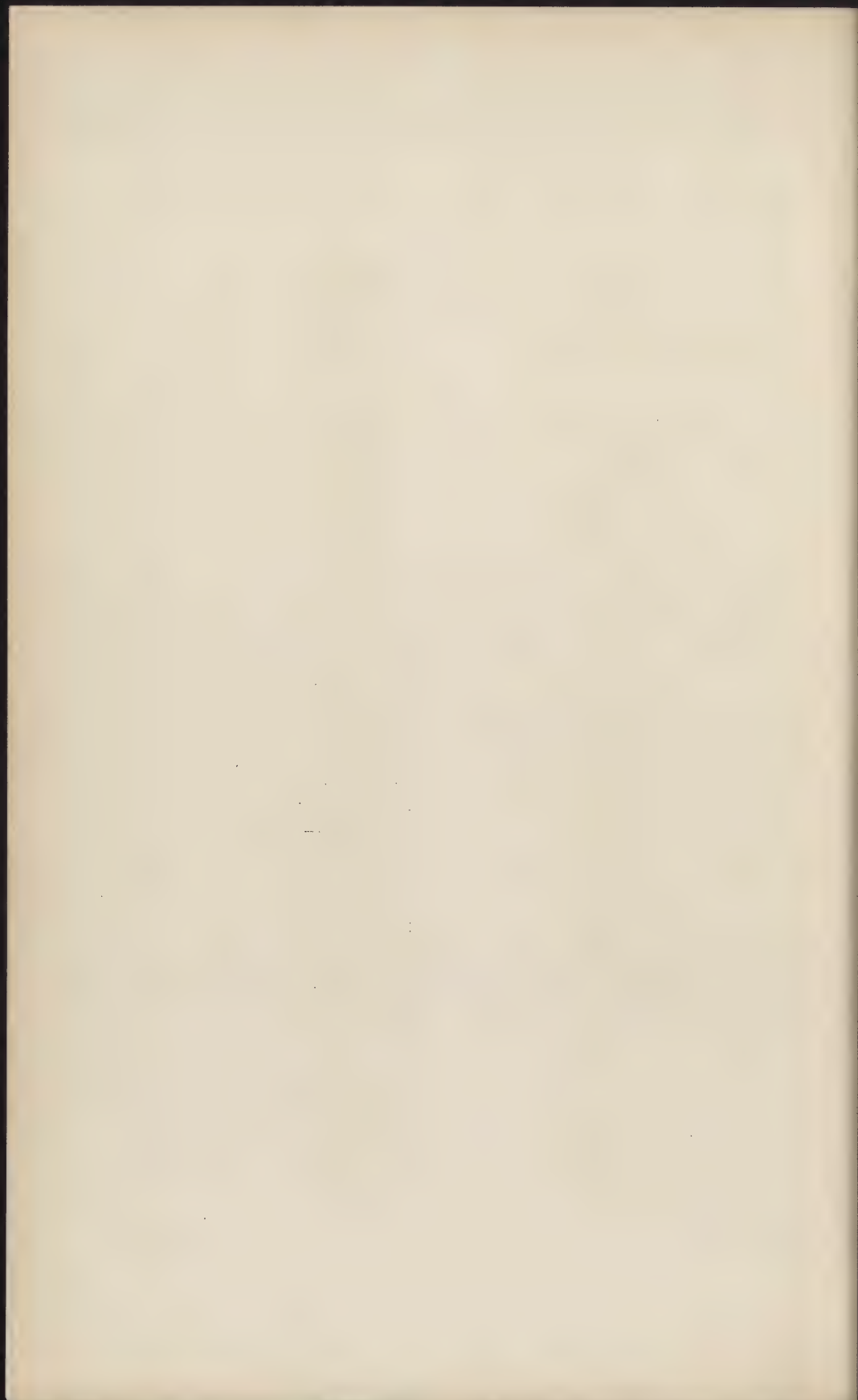


Party walls of other than Dwelling, Tenement and Lodging houses.

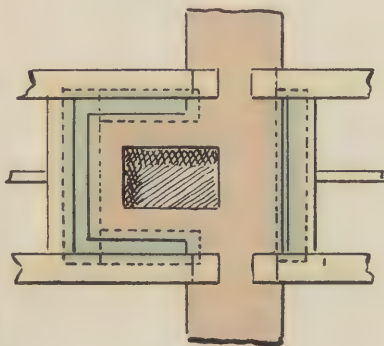




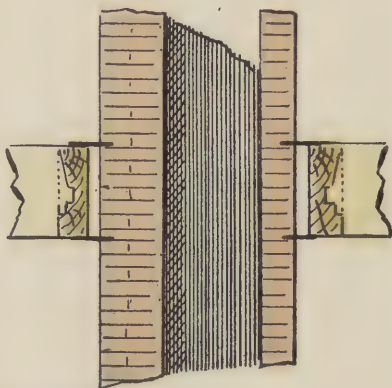




*Plan.*



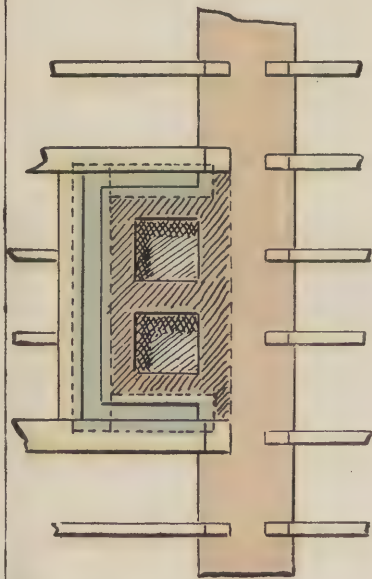
*Section.*



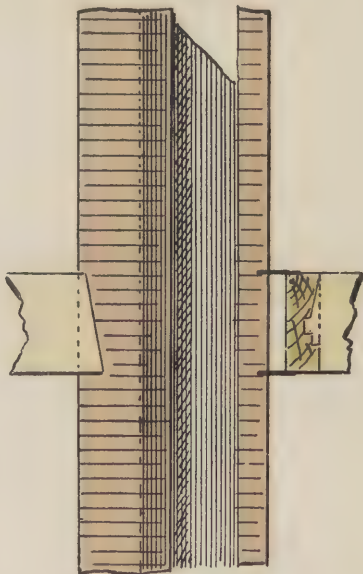
*- Section 74 -*

*Chimneys, and arrangement of floor timbers, headers and trimmers, metal fire stop.*

*Plan.*



*Section.*





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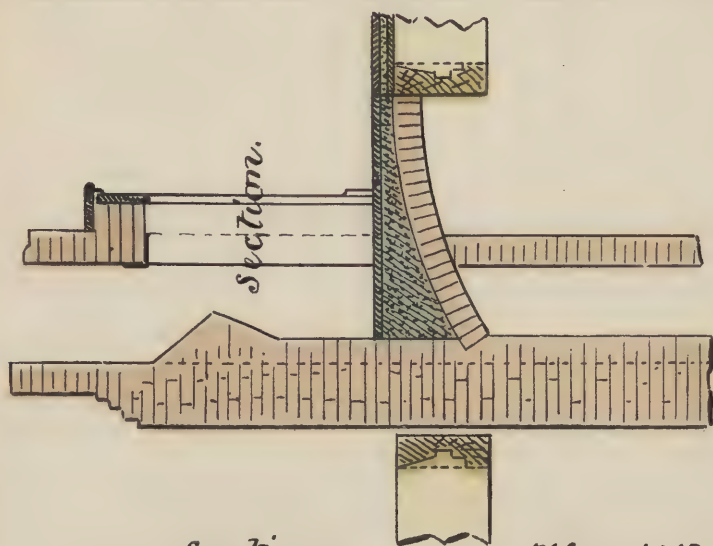
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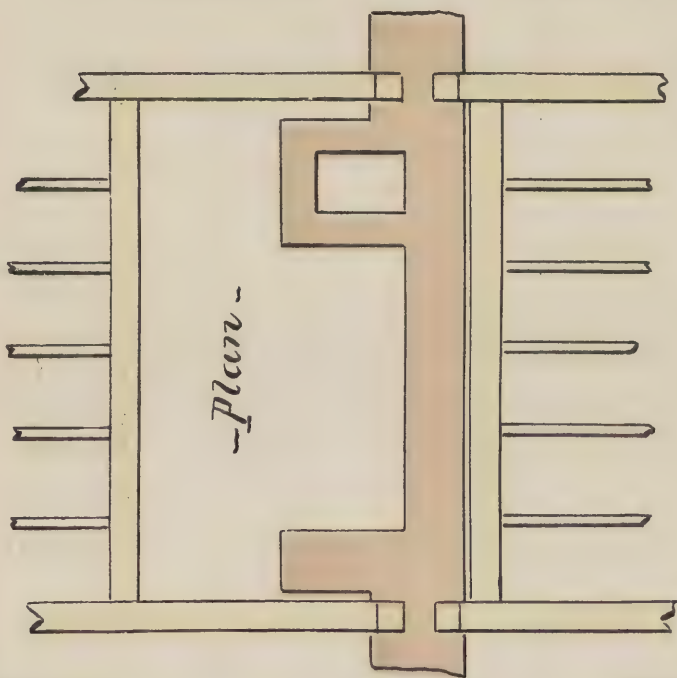
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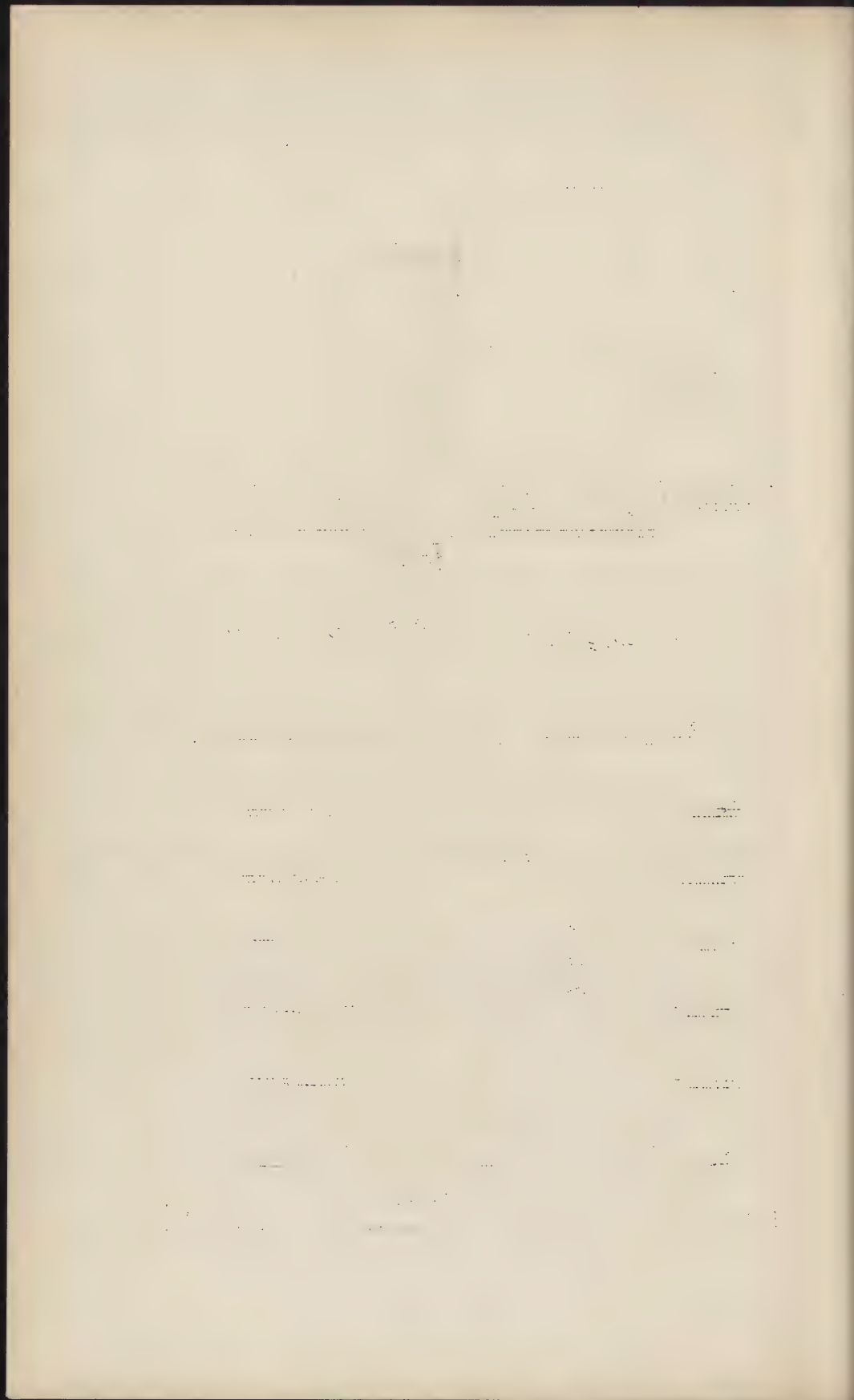
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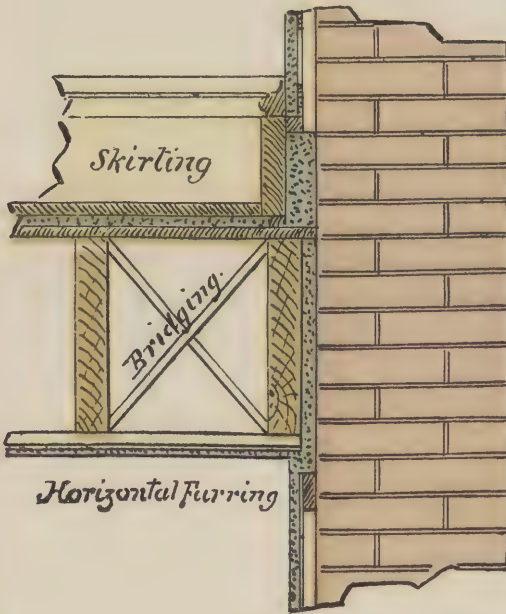
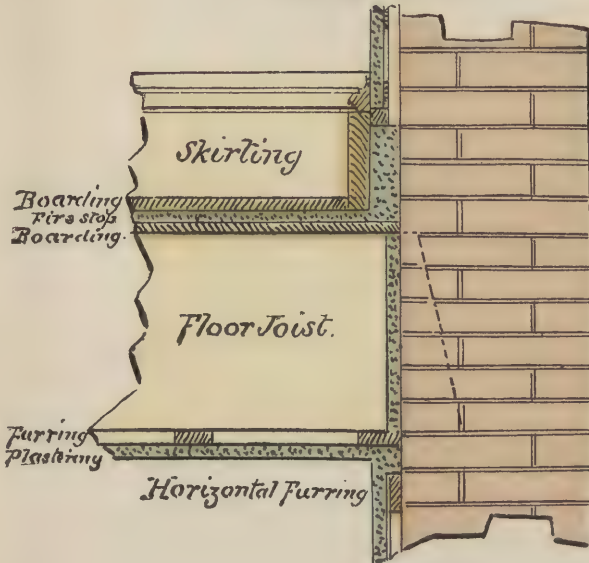
— Sections

74 and 75. —



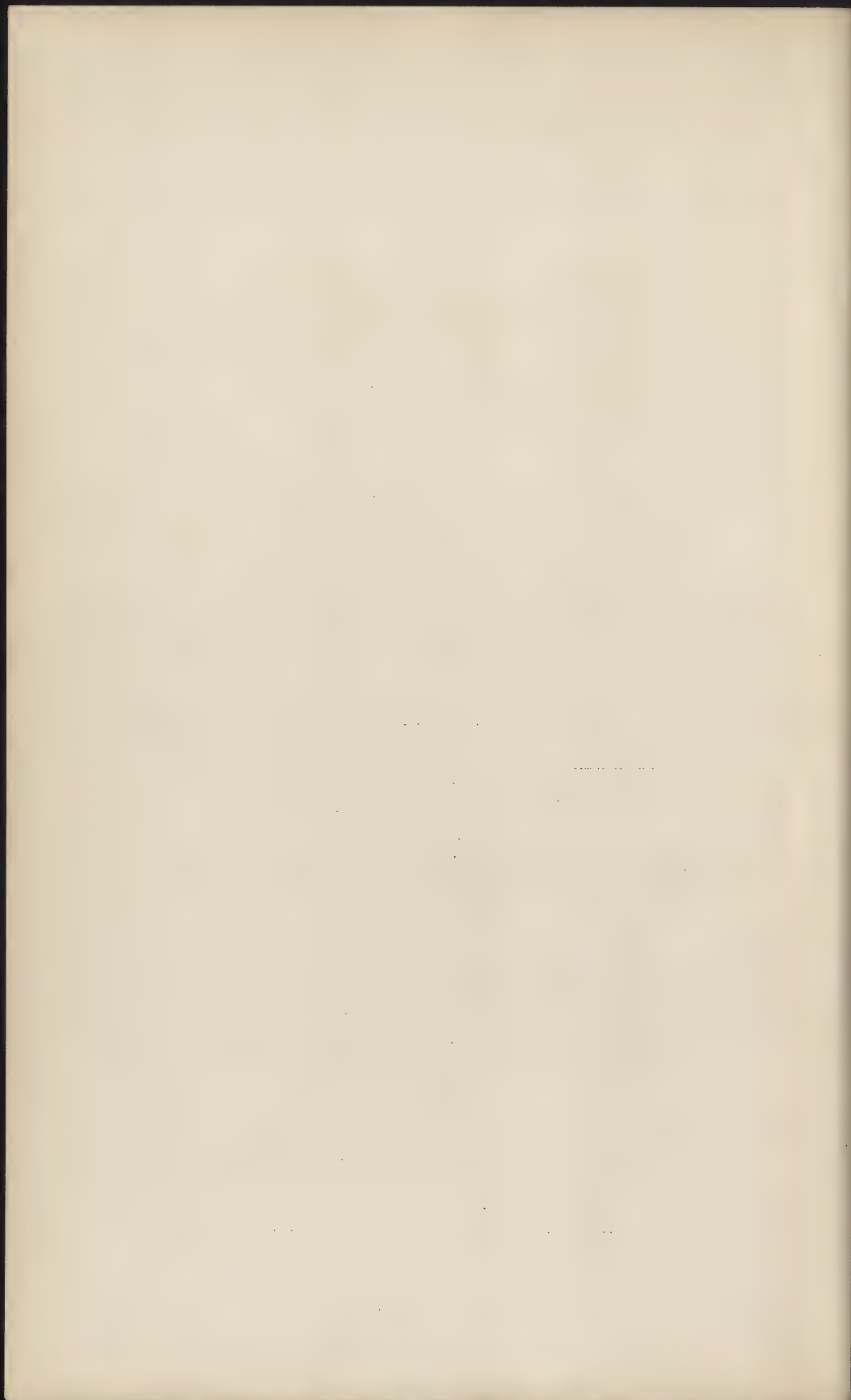


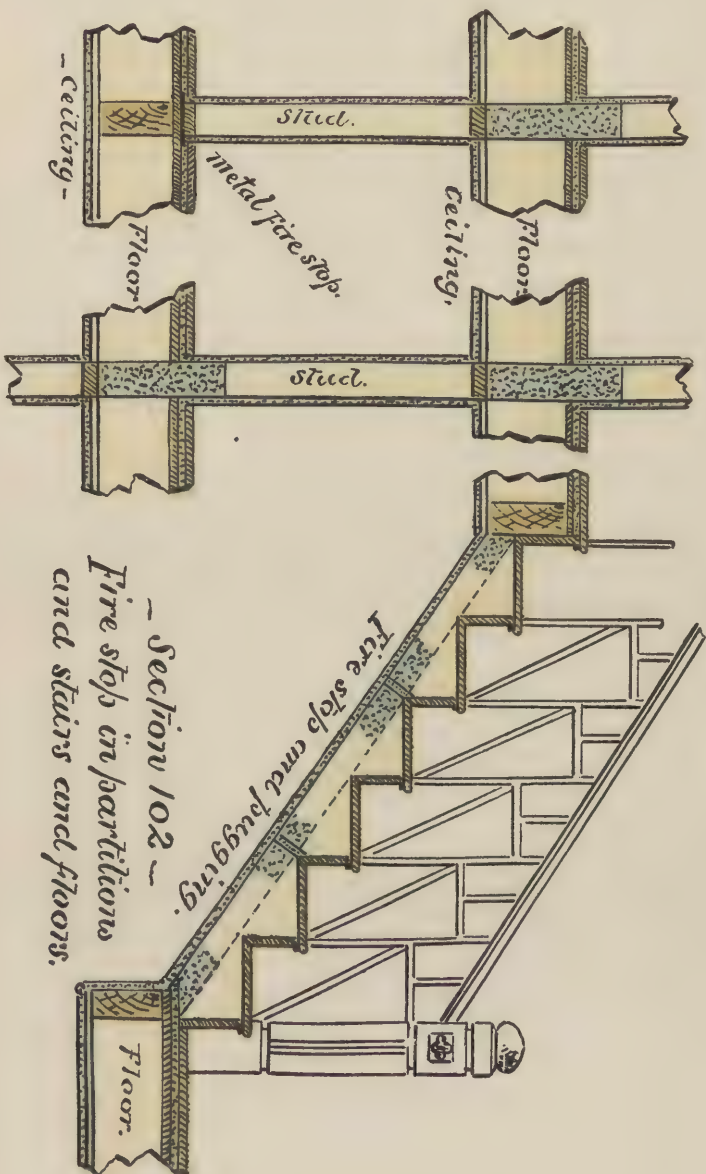
— Section 102. —

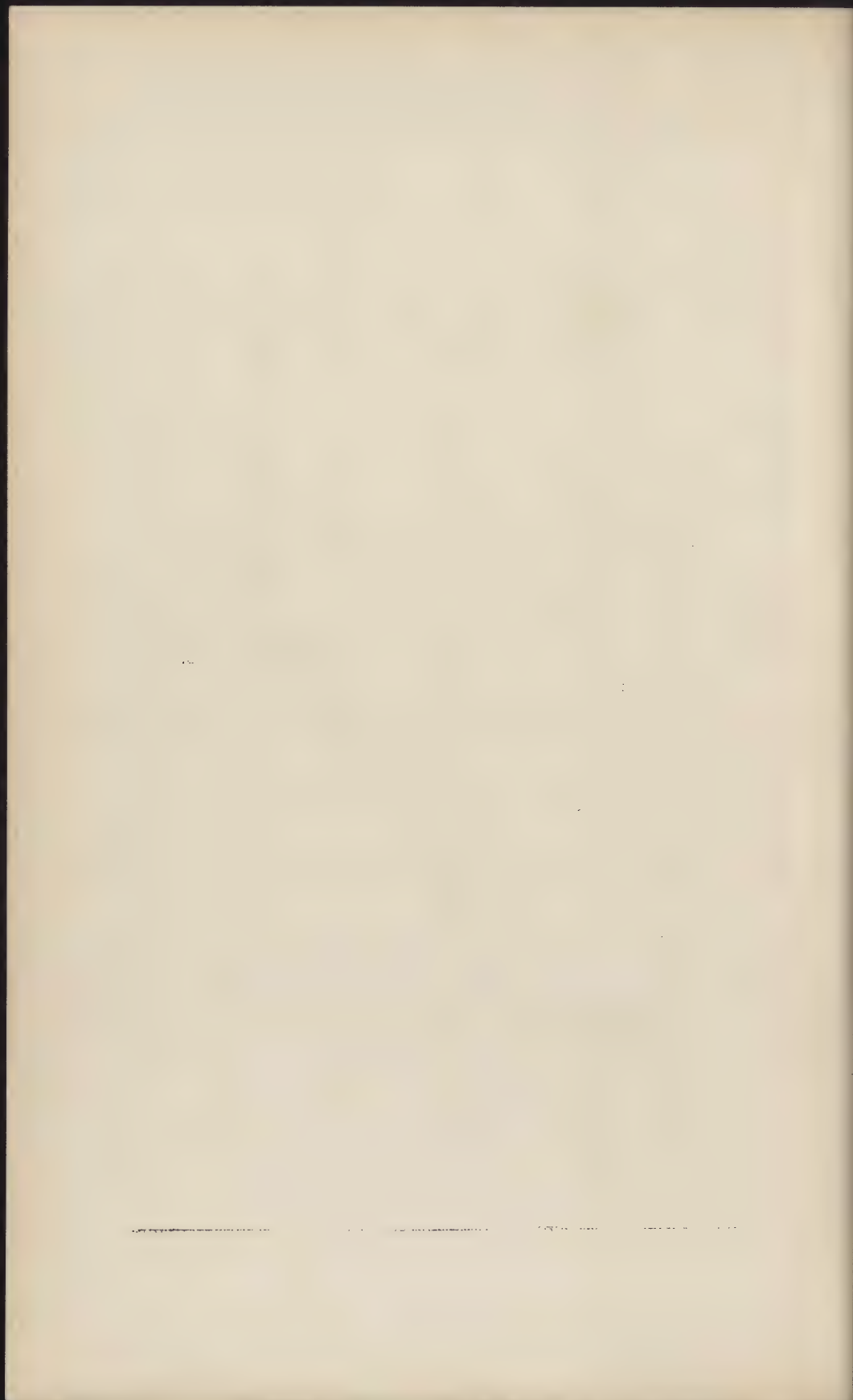


— Sections showing Fire stop on Floors and Walls. —



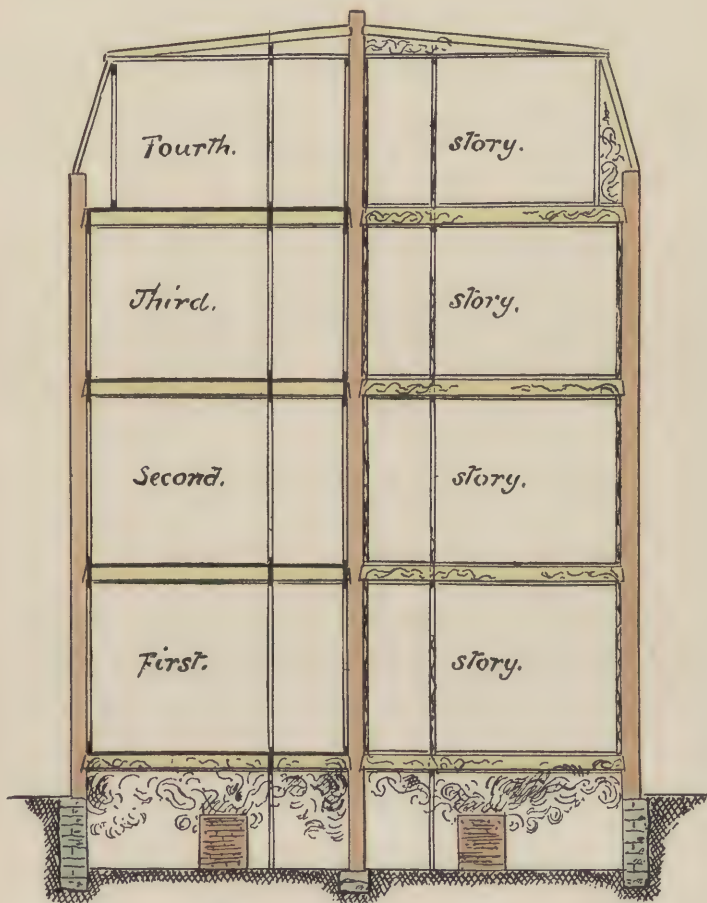






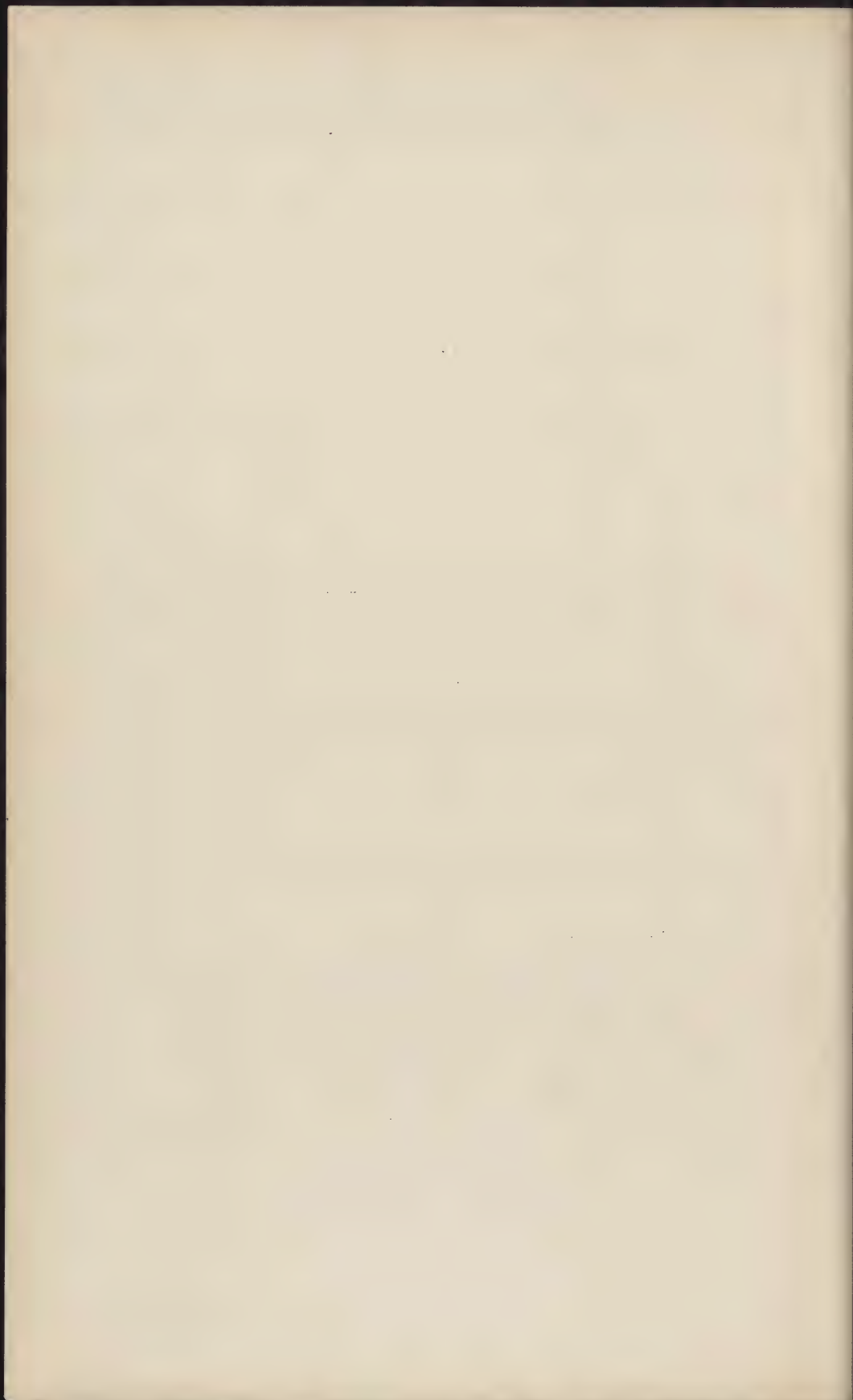
*Section showing benefit derived from  
the use of fire belts and stops on floors etc.  
slow destruction in case of fire -*

*— Sections 102-103 —*

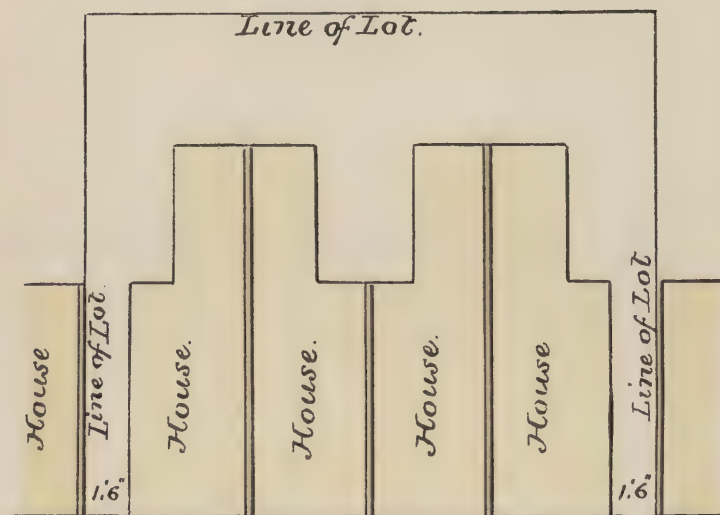


*— Transverse section. —*





— Section 2. —



— Buildings in Block. —

1. The first part of the paper is devoted to a general discussion of the problem of the existence of solutions of the system of equations (1) for arbitrary values of the parameters  $\alpha$  and  $\beta$ . It is shown that for arbitrary values of the parameters the system of equations (1) has solutions in the form of a series in powers of the parameter  $\epsilon$ . The coefficients of this series are determined by a system of equations which is solved by the method of successive approximations. It is shown that the system of equations (1) has solutions in the form of a series in powers of the parameter  $\epsilon$  for arbitrary values of the parameters  $\alpha$  and  $\beta$ .

2. In the second part of the paper the problem of the existence of solutions of the system of equations (1) for arbitrary values of the parameters  $\alpha$  and  $\beta$  is solved. It is shown that for arbitrary values of the parameters the system of equations (1) has solutions in the form of a series in powers of the parameter  $\epsilon$ .

3. In the third part of the paper the problem of the existence of solutions of the system of equations (1) for arbitrary values of the parameters  $\alpha$  and  $\beta$  is solved. It is shown that for arbitrary values of the parameters the system of equations (1) has solutions in the form of a series in powers of the parameter  $\epsilon$ .

4. In the fourth part of the paper the problem of the existence of solutions of the system of equations (1) for arbitrary values of the parameters  $\alpha$  and  $\beta$  is solved. It is shown that for arbitrary values of the parameters the system of equations (1) has solutions in the form of a series in powers of the parameter  $\epsilon$ .

5. In the fifth part of the paper the problem of the existence of solutions of the system of equations (1) for arbitrary values of the parameters  $\alpha$  and  $\beta$  is solved. It is shown that for arbitrary values of the parameters the system of equations (1) has solutions in the form of a series in powers of the parameter  $\epsilon$ .

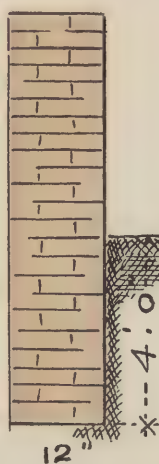
6. In the sixth part of the paper the problem of the existence of solutions of the system of equations (1) for arbitrary values of the parameters  $\alpha$  and  $\beta$  is solved. It is shown that for arbitrary values of the parameters the system of equations (1) has solutions in the form of a series in powers of the parameter  $\epsilon$ .

7. In the seventh part of the paper the problem of the existence of solutions of the system of equations (1) for arbitrary values of the parameters  $\alpha$  and  $\beta$  is solved. It is shown that for arbitrary values of the parameters the system of equations (1) has solutions in the form of a series in powers of the parameter  $\epsilon$ .

8. In the eighth part of the paper the problem of the existence of solutions of the system of equations (1) for arbitrary values of the parameters  $\alpha$  and  $\beta$  is solved. It is shown that for arbitrary values of the parameters the system of equations (1) has solutions in the form of a series in powers of the parameter  $\epsilon$ .

— Chap. 48. Sect. 4 Revised Ordinances. —

*Brick foundation wall.*



*Grade.*

*Earth.*

12"

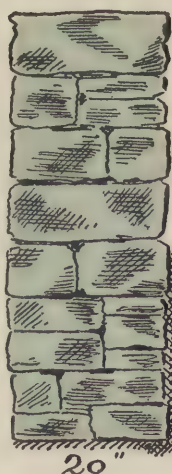
4' 0"

*Rubble wall in Cement.*



16"

*Rubble wall. "Dry."*



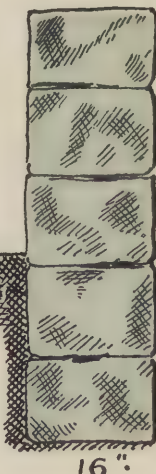
*Grade.*

*Earth.*

20"

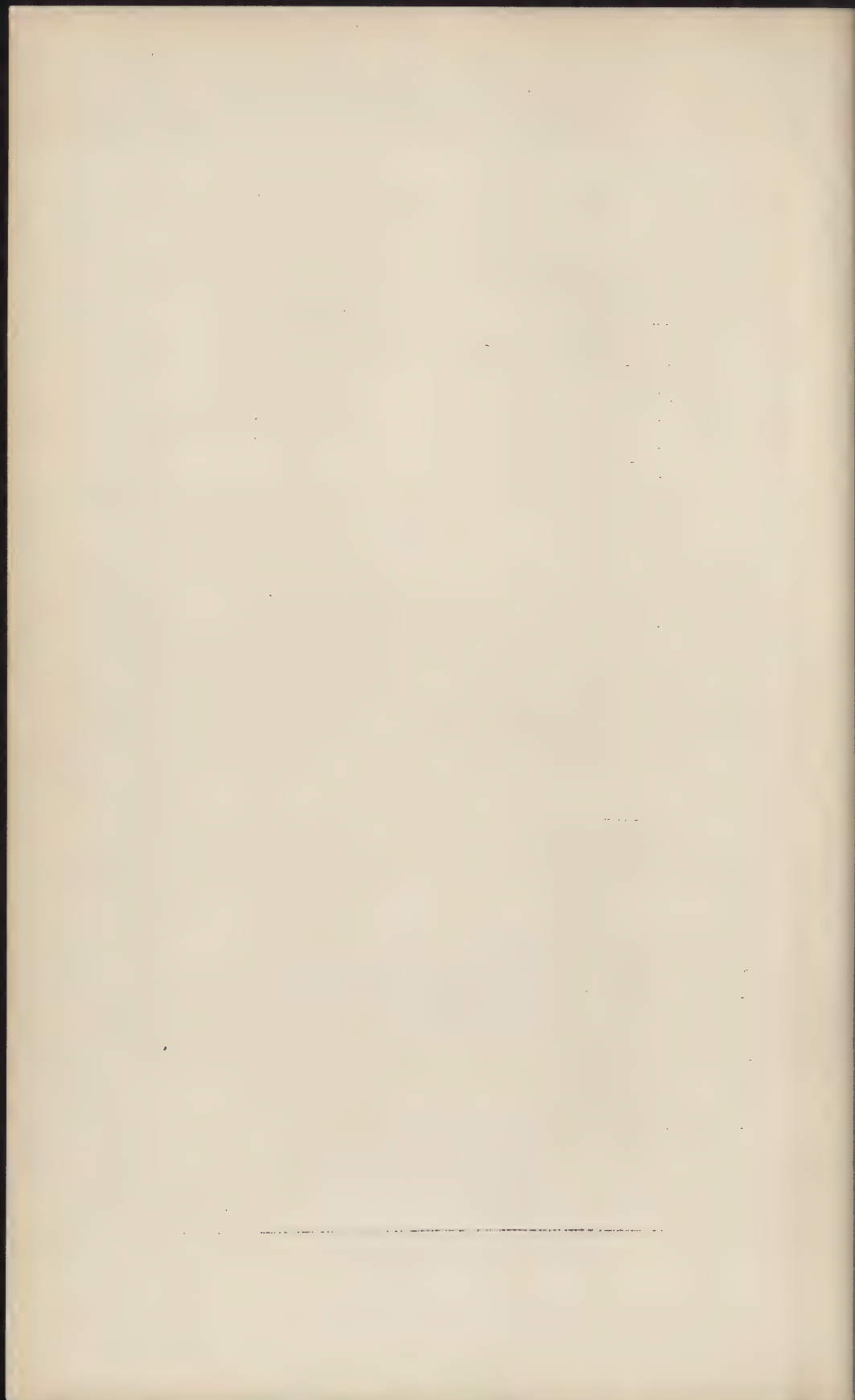
4' 0"

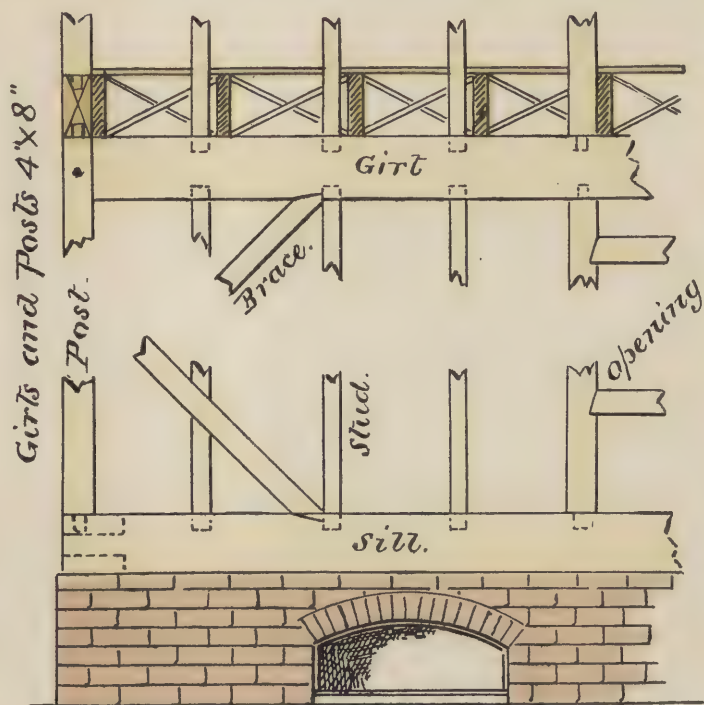
*Block stone in Cement.*



16"

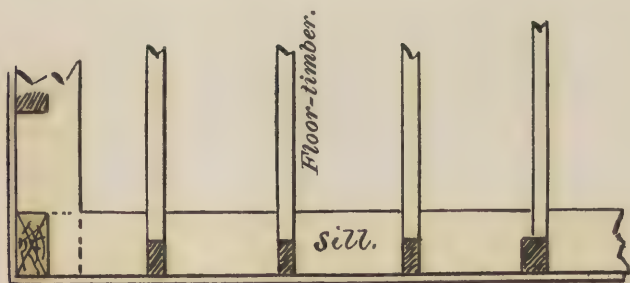






- Elevation. -

- Chap. 48. Sect. 5. Revised Ordinances. -



- Plan -

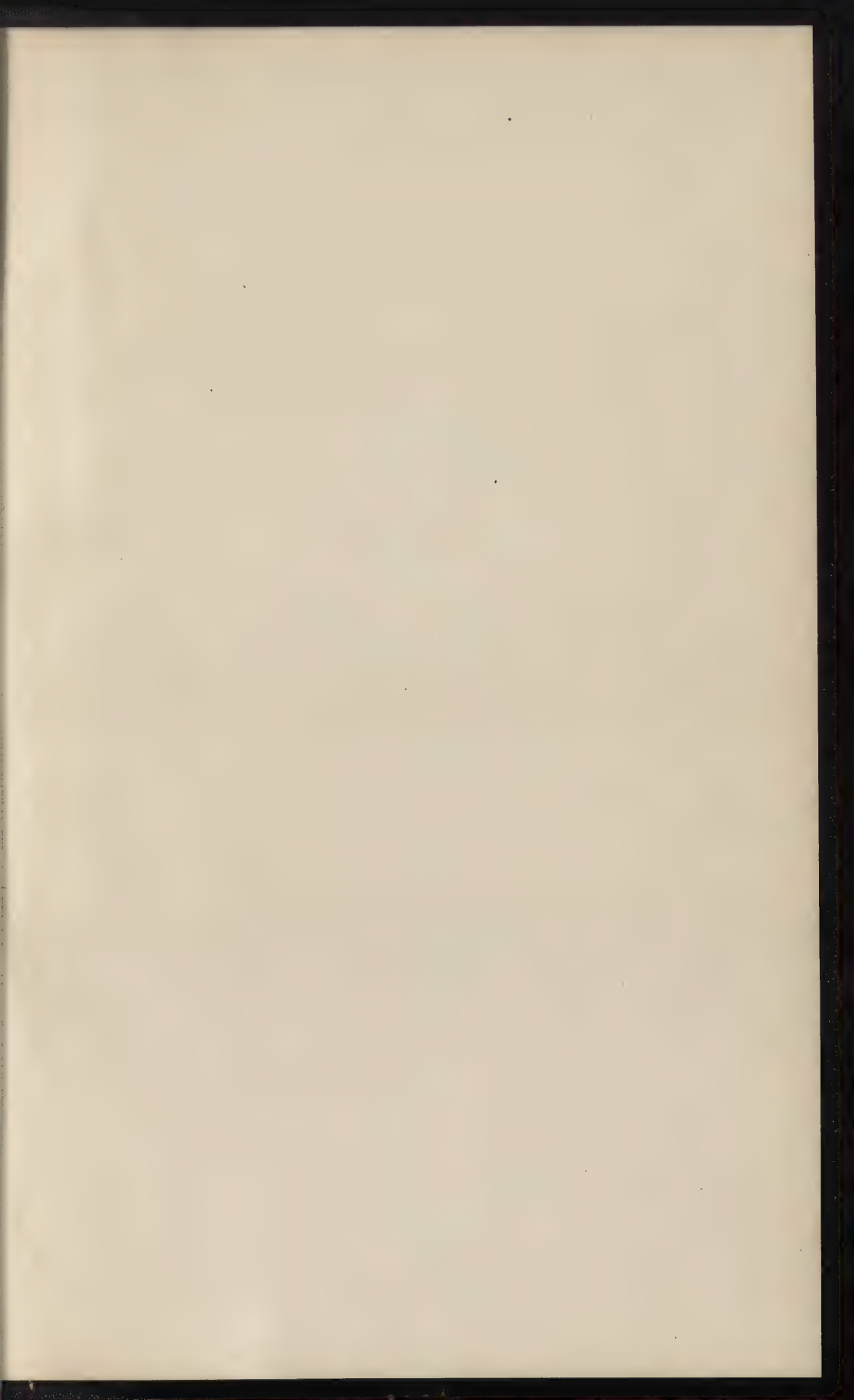
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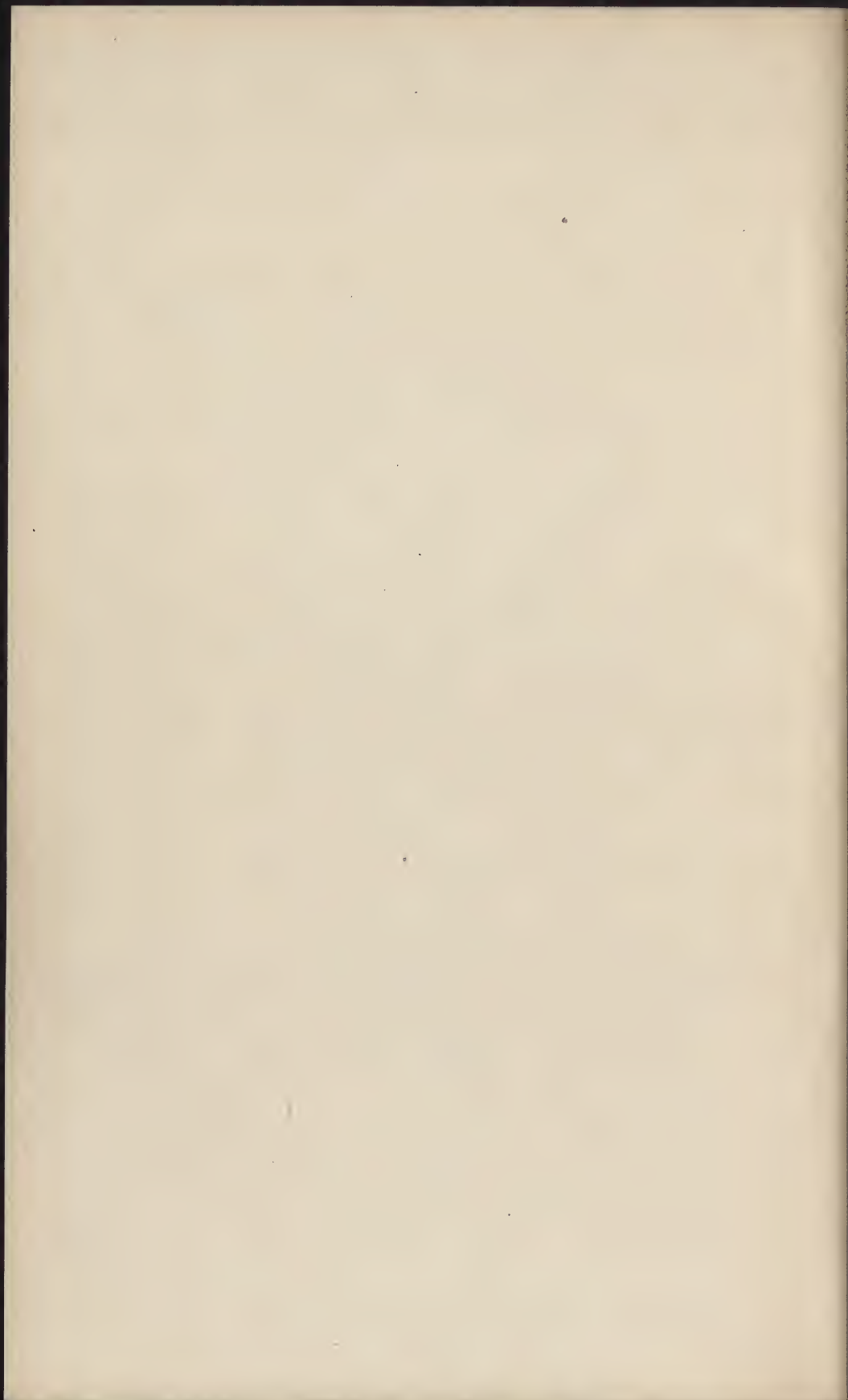
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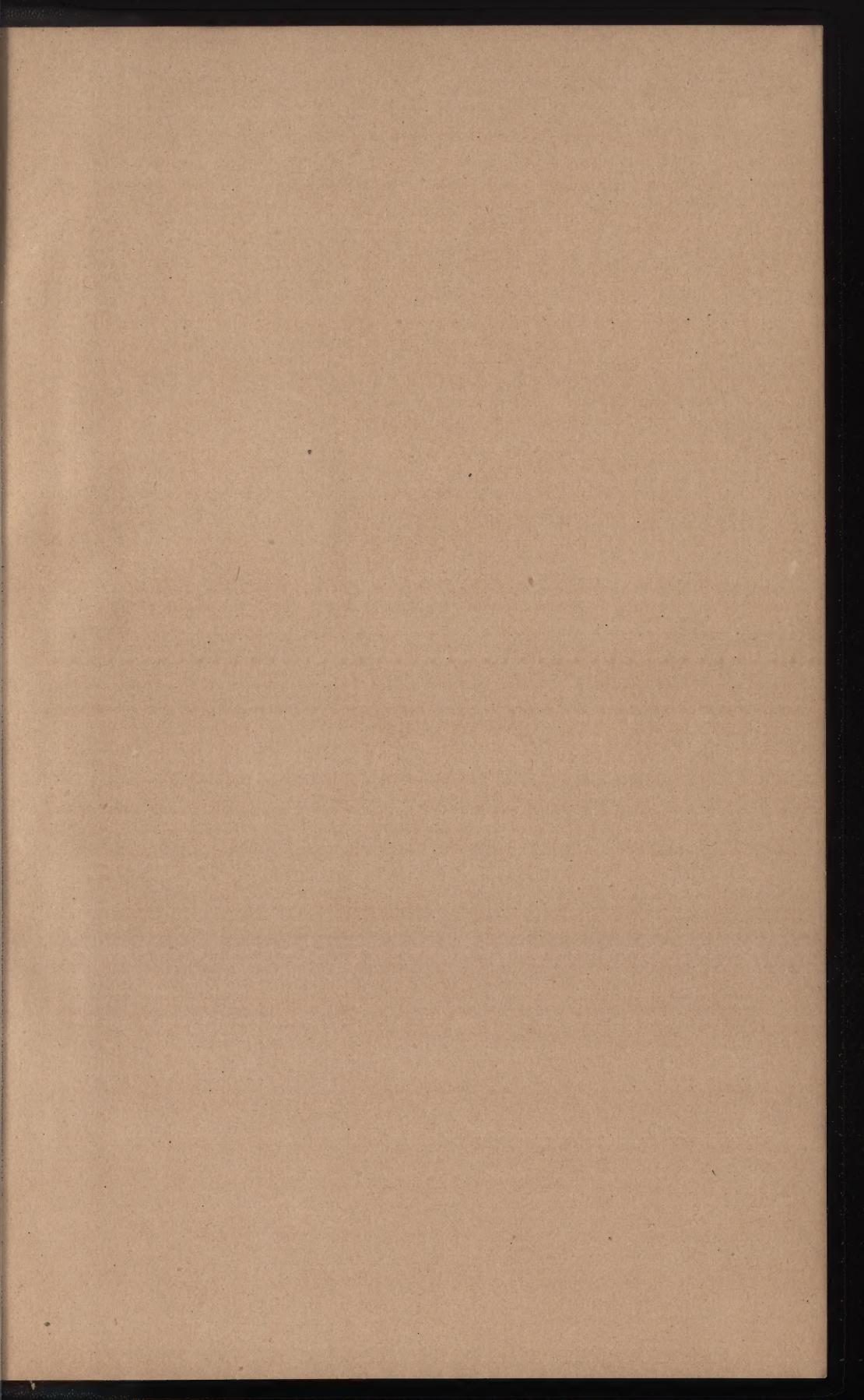
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